John William Gaddis to be first lieutenant, Infantry.
Robert Clarence McDonald to be lieutenant colonel, Medical Corps.

Clemens Wesley McMillan to be lieutenant colonel, Medical Corps.

William Joseph Adlington to be major, Dental Corps.

Officers' Reserve Corps

GENERAL OFFICER

Thomas Edward Rilea to be brigadier general, reserve, Oregon National Guard.

POSTMASTERS

ARKANSAS

Leo W. McKenney, Black Rock. Estella Cherry, McRae.

CALIFORNIA

Josephine M. Tomola, Downieville. Hazel M. McFarland, Folsom City. Frederick W. Ammann, Larkspur. Paul Huneke, Lemoncove. George P. Ide, Orcutt. Elizabeth B. Reynolds, Randsburg. William Junkans, Redding. Francis C. Harvey, Rivera. George H. Gischel, Tracy.

CONNECTICUT

Edwin H. Keach, Danielson.

INDIANA

Frank Lyon, Arcadia. Charleton H. Baum, Avilla. Paul R. Ashby, Bruceville. Fred Irvin, Cannelton. Gail M. Hennis, Clinton. Harvey H. Galloway, Cromwell. Edna Whitman, Depauw. Otto C. Wulfman, Huntingburg. Nannie E. Sparks, Kewanna. James E. Gilkison, Loogootee. Earl L. Rhodes, Milltown. Lee H. Pillers, Monroeville. Benjamin F. Pearson, New Salisbury. Arthur B. Wobith, North Judson. Lillian R. Stuck, Orland. Clarence E. Sparling, Osgood. Hubert Tanner, Plymouth. Frank R. Hawley, Williamsport.

LOUISIANA

Pierre O. Broussard, Abbeville. Adrian I. Wilcombe, Hammond. Theophile P. Talbot, Napoleonville. Silvio Broussard, New Iberia. Albert G. Boudreaux, Thibodaux.

MISSISSIPPI

Nicie R. Evans, Bassfield. Ida E. Roberts, Cleveland. Willie Ramsey, Drew. Thomas F. Kirkpatrick, Hollandale. Lida N. Oldham, University.

NEBRASKA

Chancey J. Sittler, Anselmo.
Wilbur B. Alexander, Ansley.
Paul R. Lorance, Auburn.
Mina R. McCulley, Bassett.
Charles C. Mills, Carroll.
Roy B. Gould, Coleridge.
Sturley T. Stevens, Comstock.
Harry C. Haverly, Hastings.
Verne W. Langford, Laurel.
Richard L. Roach, Maywood.
Edward T. Best, jr., Neligh.
Virgil E. Barker, Newport.
Arthur H. Babcock, North Loup.
Claude A. Barker, Pawnee City.

Frederick H. Crook, Paxton.
Dayle G. Stallman, Petersburg.
Ray L. Mallory, Pierce.
James W. Holmes, Plattsmouth.
Charles G. Anderson, Shelby.
Harry S. Prouty, Spencer.
John Becker, Stanton.
Herbert C. Wilkinson, Weeping Water.
George W. Howe, Wisner.

NEW MEXICO

Charles E. Gibbs, Madrid.

NORTH DAKOTA

Ira L. Walla, Arnegard.
Inez Grams, Bowbells.
Odin Stompro, Columbus.
Milo C. Merrill, Flaxton.
Gus W. Hokanson, Fort Yates.
Aloysius A. Allers, Garrison.
Paul Keller, Hebron.
Lottie E. Just, Judson.
David L. Rourke, Osnabrock.
Ruth Ellickson, Regent.
James Zelenka, Solen.

OKLAHOMA

Charles M. Henry, Carmen. John P. Rookstool, Hominy. Estella Sahland, Locust Grove.

PENNSYLVANIA

Robert M. Smith, Centre Hall. Robert M. Barton, Duncannon. Inez B. Rex, Irvona. George D. Claassen, Natrona. Newton N. Eppinger, North Bessemer. Frank H. McCully, Osceola Mills.

WYOMING

George J. Snyder, Glendo. Frank F. Bristow, Greybull. Reuben A. Faulk. Luck.

HOUSE OF REPRESENTATIVES

SATURDAY, FEBRUARY 21, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We bless Thee, our Father in Heaven, that we are still in the bosom of Thy love, and pray that we may be lifted up into the relationship of the sons of God. Let Thy Spirit arouse in us all dormant affections and clear our vision that we may behold in the evolutions of human affairs Thy goodness and power. May charity abound among us; all gentleness and graciousness; all love and fidelity; all simplicity and purity. Let that which is contrary to Thy law be repressed and that which is good, wholesome, and helpful, O let it flame forth, even as a sacred fire. Be with us this day and allow not our hearts and minds to shiver in the valley of forbidding isolation, but lead us to the hill slopes of hope, faith, and love. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 5959. An act authorizing the purchase of the State laboratory at Hamilton, Mont., constructed for the prevention, eradication, and cure of spotted fever.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10658. An act to amend section 1 of the act of May 12, 1900 (ch. 393, 31 Stat. 177), as amended (U. S. C., sec. 1174, ch. 21, title 26).

The message also announced that the Vice President had appointed Mr. Metcalf and Mr. Copeland members of the joint select committee on the part of the Senate as provided in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Labor.

GEORGE WASHINGTON'S BIRTHDAY

Mr. TILSON. Mr. Speaker, on Monday next, February 23, the one hundred and ninety-ninth anniversary of the birth of George Washington will be celebrated. In the House we have agreed to meet at 11 o'clock a. m., the hour between 11 o'clock and 12 o'clock to be devoted to appropriate recognition of that event. The gentleman from Pennsylvania [Mr. Beck] has consented to address us at that time, and we all know that he is capable of handling the subject in a masterly and interesting manner. I rise to call the attention of the membership to the fact that such an address will be delivered and to express the hope that a large attendance of Members will be in their seats at that hour.

Mr. LaGUARDIA. Mr. Speaker, will the gentleman yield? Mr. TILSON. Yes.

Mr. LaGUARDIA. But at 12 o'clock we start upon the regular work?

Mr. TILSON. Yes. Only the first hour, between 11 o'clock and 12 o'clock, will be devoted to the purpose indicated.

Mr. LaGUARDIA. I wanted to have that understood.

PRIVATE CALENDAR

Mr. TILSON. Mr. Speaker, I ask unanimous consent that on Monday next, February 23, 1931, it be in order to take a recess until 8 o'clock p. m., and that at the evening session, between the hours of 8 o'clock and 11 o'clock p. m., bills on the Private Calendar unobjected to may be considered in the House as in Committee of the Whole, beginning where the House left off on the last call.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that on Monday next it shall be in order to recess until 8 o'clock p. m., and that between the hours of 8 and 11 o'clock it shall be in order to consider bills unobjected to on the Private Calendar, beginning with where the House left off on the last call, and to consider the bills in the House as in Committee of the Whole. Is there objection?

Mr. BLANTON. Mr. Speaker, yesterday afternoon, merely for the purpose of finding out whether the Members who look after the Consent and Private Calendars could be present Monday evening, I temporarily objected to this request. Since that time I have found that there will be enough of them here to properly look after the calendar. I therefore withdraw my objection.

Mr. COLLINS. Mr. Speaker, reserving the right to object, and I shall not object, when, after Monday evening, will there be another call of the Private Calendar?

Mr. TILSON. I should not like to cross that bridge until we come nearer to it, or at least until we see what progress we make Monday evening.

Mr. COLLINS. I hope the gentleman will give the House at least one evening in which to study these bills before the Private Calendar is called again; in other words, that the gentleman will not ask to meet either Tuesday or Wednesday evening for that purpose.

Mr. TILSON. I do not wish to make any promises at this time. Let us wait until we see what progress is made on Monday evening. It may not be necessary to have another evening session, but if it is, we must not be precluded from asking for it.

Mr. LaGUARDIA. I reserve the right to object. Monday next as I understand will be given over to the Committee on the Judiciary under a rule. There are several

bills which the committee may call up on that day under the rule. One of the bills, which is of national importance, is at the foot of that list. I ask the gentleman from Connecticut, whether in the event that we recess at 5 o'clock or 6 o'clock, the rule will hold over until the next day?

Mr. TILSON. I do not understand so. As I remember

the rule it is simply for the one day.

Mr. LaGUARDIA. Mr. Speaker, it is extremely dangerous at this time to enter into an agreement which will cut off that day. We are ready to stay here until midnight if necessary to pass the employment bill, but if we are confronted with an 8 o'clock session under general consent, we are naturally cut off at 8 o'clock. Unless I can get assurance—because I know there is some unfriendliness to that bill in my own committee and there are more ways of killing a cat than one—I shall feel constrained to object to this request. I do not want to see that day petered out with a discussion of small pop-gun bills that are on the list ahead of this employment bill.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield? Mr. LaGUARDIA. Yes.

Mr. BANKHEAD. It seems to me that that is a matter which the gentleman from New York [Mr. LaGuardia] might well take up with the chairman of his own committee, and in that way determine the priority of the consideration of bills.

Mr. LaGUARDIA. I have taken that up, and that is why I make this statement at this time. The important bill is at the foot of the list.

Mr. BANKHEAD. The Committee on Rules has given to the gentleman's committee a full day for the consideration of such bills as it desires to bring up. Does not the gentleman think, in view of the present status of affairs, that that is rather a generous arrangement for his committee?

Mr. LaGUARDIA. It is very generous; the Committee on Rules could not give us more; but I want to hold the whole day, if it is within my power to do so.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MOORE of Virginia. Will the gentleman take us into his confidence sufficiently to tell us why a bill of great importance, in his estimation, is not taken up first?

Mr. LAGUARDIA. I tried that in my committee and I

Mr. LaGUARDIA. I tried that in my committee and I could not do it. If the gentleman from Connecticut will consent that if we are compelled to recess in order to go into a session for the Private Calendar that we may go over until the next day, I shall not object.

Mr. TILSON. I can not ask consent to change a rule that has been brought in here by the Committee on Rules. If the gentleman wishes to object to my request, he must do so. He has the right to do so.

Mr. IRWIN. I hope the gentleman from New York will not object. There are 435 Members who are interested in these private bills. We have been booted around for the last two or three weeks. Yesterday we were to have a day, but we did not get a minute.

Mr. LaGUARDIA. Does the gentleman know to which bill I refer?

Mr. IRWIN. I am asking the gentleman not to object to the Private Calendar.

Mr. LaGUARDIA. Does the gentleman know that I am trying to get consideration of the national employment agency bill?

Mr. IRWIN. I understand that. The gentleman's committee has all day Monday up to adjournment time at 5 o'clock, but I feel that it is time that bills on the Private Calendar should receive some consideration.

Mr. LaGUARDIA. I know that, and I have had just a little experience in frittering away time. I have done it myself.

Mr. TILSON. The gentleman's committee will have the whole day.

Mr. LaGUARDIA. But I know what is ahead of us.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. COCHRAN of Missouri. I suggest that the gentleman from New York [Mr. LaGuardia] ask to amend the unanimous-consent request of the gentleman from Connecticut [Mr. Tilson] to provide that if we are not finished at the time of recess we may continue during the evening. As far as I am concerned, I agree with the gentleman from New York [Mr. LaGuardia] that the bill he desires considered is more important than the Private Calendar.

Mr. TILSON. I am not going to ask now for a night session to consider anything else but the Private Calendar. I am trying to have the Private Calendar considered. Does the gentleman object?

Mr. LaGUARDIA. Does the gentleman fix any time for recess?

Mr. TILSON. No. The House can continue right up to 7.59 if it so desires.

Mr. LAGUARDIA. But will the gentleman say we may have a night session without fixing the time when we must commence the Private Calendar?

Mr. TILSON. Oh, no. I am asking that from 8 o'clock until 11 o'clock it shall be in order to consider the Private Calendar. I think that is fair.

Mr. LaGUARDIA. That is extremely dangerous.

Mr. BLANTON. Will the gentleman yield?

Mr. LaGUARDIA. I yield.

Mr. BLANTON. If the House were in favor of the gentleman's bill, the House could refuse to adjourn and could proceed in consideration of it right up to 8 o'clock if the Members wanted to.

Mr. LaGUARDIA. Well, up to 8 o'clock; but we might not be reached at 8 o'clock.

Mr. BLANTON. You still could do that under the request of the gentleman from Connecticut [Mr. Tilson].

Mr. STAFFORD. Mr. Speaker, we have a very long Consent Calendar, and I think there should be a decision on this matter.

Mr. LaGUARDIA. There are two of my colleagues from the Committee on the Judiciary on the floor now. May I ask them if they will call up this bill first?

Mr. MICHENER. I will answer that by saving that under this rule the Committee on the Judiciary is authorized to call up the bills named in their order as determined by the

Mr. STAFFORD. Regular order, Mr. Speaker.

Mr. TILSON. Mr. Speaker, I renew my request.

The SPEAKER. Is there objection?

Mr. LaGUARDIA. Reserving the right to object-

Mr. DYER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. DYER. I may state that the gentleman from New York [Mr. LaGuardia] knows the Committee on the Judiciary has decided on the order in which these bills are to be presented.

I do not think it would be proper to attempt to change that situation at this time. I believe there will be ample time on Monday to consider every bill that the Rules Committee has provided for, and I am sure there will be ample time to consider the bill to which the gentleman from New York [Mr. LaGuardia] refers, the employment bill. There will be no filibuster on the bill, as far as anybody is concerned who is opposed to it, that I know of, and I know the gentleman from New York is not going to filibuster. I think we can get through by 5 o'clock with all of the bills. That would be my judgment.

Mr. MICHENER. The bills listed in the rule are listed in the order in which they were reported out by the committee. Then later the gentleman from New York [Mr. LaGuardia] made a motion in the committee that this particular bill to which he refers, should be considered first. It was not the order of the committee that it be considered first. Therefore the bills, as I understand it, will be taken up in the order in which they appear in the rule. Whether I am with the gentleman from New York [Mr. LaGuardia] on this matter or against him. I feel that under the orderly procedure of the House we can do nothing but call up the bills in the order which the majority of the committee directs.

Mr. STAFFORD. Mr. Speaker, I press my demand for the regular order.

The SPEAKER. The regular order is demanded.

Mr. LaGUARDIA. I object for the present.

Mr. TILSON. Mr. Speaker, I move that the rules be suspended and the resolution which I have sent to the Clerk's desk be adopted.

The SPEAKER. The gentleman from Connecticut moves to suspend the rules and pass a resolution, which the Clerk will report.

The Clerk read the resolution, as follows:

House Resolution 371

Resolved, That on Monday next, February 23, 1931, it shall be in order to move that the House take a recess until 8 p. m. and that at the evening session until 11 o'clock it shall be in order to consider bills on the Private Calendar unobjected to in the House as in the Committee of the Whole, the call of bills on the said calendar to begin at No. 785.

Mr. LaGUARDIA. Mr. Speaker, I demand a second.

Mr. TILSON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The gentleman from Connecticut [Mr. TILSON] is recognized for 20 minutes, and the gentleman from New York [Mr. LaGuardia] is recognized for 20 minutes.

Mr. TILSON. Mr. Speaker, I do not desire to take the 20 minutes allowed me. I think the membership is thoroughly acquainted with the situation. It was my earnest desire to go on with the Private Calendar. I therefore hope the membership of the House will support the resolution.

Mr. GARNER. Will the gentleman yield?

Mr. TILSON. I yield.

I heard the reading of the proposed Mr. GARNER. motion. I do not know what the Speaker would rule, but on Monday, after the gentleman from Pennsylvania [Mr. BECK] finishes his address, I take it from the wording of the resolution it would be in order then to move recess until 8 o'clock.

Mr. TILSON. It would be in order.

Mr. GARNER. How often could that motion be made during the day?

Mr. TILSON. Until it was carried, I suppose, unless it were ruled to be dilatory.

Mr. GARNER. I just wanted to make that observation so that we can see the difficulty of what we term a filibuster

Mr. TILSON. The House will be in possession of the matter and can do as it sees fit at that time. All I am asking now is to get time for the consideration of the Private Calender, which the gentleman from Texas agrees with me should be considered. [Applause.]

Mr. GARNER. I merely want to call attention to the fact that the gentleman may find this state of affairs, that some gentleman will move to take a recess until 8 o'clock, then in about 10 minutes some other gentleman will make the same motion, and you will have that motion renewed every 10 minutes during the entire day.

Mr. STAFFORD. That would be considered dilatory.
Mr. LEHLBACH. Could not the same situation be brought about by motions to adjourn? There is no force in that at all.

Mr. RAMSEYER. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. RAMSEYER. Under this arrangement the Judiciary Committee could run right up to a minute before 8 o'clock, could it not?

Mr. TILSON. Yes.

Mr. RAMSEYER. And then the House recess until 8 o'clock?

Mr. TILSON.

Mr. RAMSEYER. So that the Committee on the Judiciary would have practically eight hours at their disposal if a majority of the House stood with them?

Mr. TILSON. That is true. Mr. Speaker, I reserve the balance of my time.

Mr. LaGUARDIA. Mr. Speaker, let the House be advised now as to the parliamentary situation. The gentlemen who applauded the statement of the gentleman from Connecticut that he desired to have the Private Calendar considered, can vote that way if they so desire, but we have coming up Monday one of the bills that has attracted more national attention than any other bill during the entire session of Congress. There seems to be an organized effort to kill that bill with kindness, because it is known that when the Wagner employment agency bill comes before this House, we can pass that bill with an overwhelming majority. The Rules Committee gave that bill a preferential status by giving the Committee on the Judiciary a day on which they might call up certain bills, and Senate bill 3060, the employment measure, is one of them. It is a bill to provide a national system of employment agencies to cooperate with the various States. That bill is at the foot of the list. There are several small bills ahead of it, one of them highly controversial.

Now, then, gentlemen, if you want to defeat the employment agency bill the way to do it is to vote for this motion, which would make it possible at 5 o'clock to recess until 8 o'clock, and then take up private bills. Gentlemen, I plead with you in the name of organized labor of this country, who are clamoring for help, and this is the only piece of constructive legislation that has been offered which would better conditions in the future. Vote down this motion and give us the day. We are willing to come on the floor, present the bill, and take your decision on the merits of it, but do not cut us off. There are several bills ahead of it, and unless we have time ahead of us that bill may never be reached.

Mr. CULLEN. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. CULLEN. Is it not a fact that there is a disposition on the part of the powers that be in the House to substitute another bill for the Wagner bill, which originally was before the Judiciary Committee?

Mr. LaGUARDIA. Yes; but I will say to my colleague that I do not believe that when this House understands the substitute and hears the evidence it will support that substitute. I am sure we can vote the substitute down. All I am asking is to have a day in court, not for myself but for labor, which has been clamoring for some consideration.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. LaGUARDIA. Yes.

Mr. COCHRAN of Missouri. Is it not a fact that not more than 500 people are interested in the bills on the Private Calendar while 5,000,000 people out of work are interested in the unemployment bill?

Mr. LaGUARDIA. We can take up the Private Calendar at any time. I will agree not to be on the floor when the Private Calendar comes up and I will not object to anything. How is that? [Applause.]

Mr. McKEOWN. Will the gentleman yield?

Mr. LaGUARDIA. Yes. Mr. McKEOWN. The fact is that we tried to have this Wagner bill brought up first.

Mr. LAGUARDIA. Yes.

Mr. McKEOWN. But they voted us down on that propo-

Mr. LaGUARDIA. Certainly; in the committee. Now, gentlemen, that will indicate just what the predisposition on the part of some of the committee toward that bill is.

Mr. YON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. YON. Does the gentleman think the substitute Doak bill would be amended so as to carry the provisions of the Wagner bill?

Mr. LaGUARDIA. There is no such thing as a Doak bill.

Mr. BANKHEAD. Will the gentleman yield? Mr. LaGUARDIA. Yes.

Mr. BANKHEAD. In order to get the issue clarified, is it the gentleman's idea that if we vote down the pending motion that would leave it open for the House to remain in session after the usual time for adjournment on Monday and remain in session on these bills?

Mr. LAGUARDIA. That is correct. If we have the day before us I am sure that once we get the bill before the House it will not take long to dispose of it, but if we have a dead line at 5 o'clock or at 6 o'clock, then, gentlemen, of course, the committee can fritter away the time on the other bills.

Mr. BANKHEAD. Then it is the gentleman's purpose to remove the barrier for any possible obstruction of the consideration of that bill, even if it takes until midnight?

Mr. LAGUARDIA. Even if it takes until midnight, because we can not do any less for labor in this country.

Mr. TILSON. I think the gentleman from New York is laboring under a very serious misapprehension.

If the gentleman thinks that the order I am asking binds the House irrevokably, he is very much mistaken. The gentleman evidently has not heard it. The House does not have to recess unless it so desires. There is no compulsion whatever upon the House to recess. The resolution simply gives the House an opportunity to recess if it so desires, and that is all it does.

Mr. STAFFORD. And if the gentleman will permit, under the rules of the House it requires a majority to recess.

Mr. TILSON. Certainly. There is nothing whatever in what the gentleman has stated.

Mr. LaGUARDIA. If there is nothing in what I have said, then there is no purpose in the gentleman's resolution.

Mr. TILSON. The purpose of the resolution is to give the House an opportunity on Monday, if it so desires, to recess and consider the Private Calendar.

Mr. LaGUARDIA. May I ask the gentleman a question? Mr. TILSON. And it also gives the membership notice in advance. There is really nothing whatever in the gentleman's contention

Mr. LaGUARDIA. May I ask the gentleman this question? Can not the gentleman move to recess for this purpose at any time on Monday without this resolution?

Mr. TILSON. No; he can not.

Mr. LAGUARDIA. Why?

Mr. TILSON. Because it is not a privileged matter.

Mr. LaGUARDIA. The gentleman can call up the Private Calendar by unanimous consent.

Mr. TILSON. But we do not wish to wait until Monday before giving the Members of the House notice that they will have an opportunity to consider the Private Calendar.

Mr. LaGUARDIA. I want to appeal to the floor leader that it is manifestly unfair at this late hour when Monday is the only opportunity we will have in the closing days of the session to get this bill up.

Mr. TILSON. The House will have the opportunity to

Mr. FITZPATRICK. Why not take up the Private Calendar on Tuesday?

Mr. LAGUARDIA. Yes.

Mr. TILSON. I insist that there is nothing whatever in the contention of the gentleman from New York.

Mr. LAGUARDIA. Gentlemen, I am willing to leave it to the membership. [Cries of "Vote!" "Vote!"]

Just one moment, before you gentlemen vote, because in November, 1932, you will be very glad that I made this point. There is nothing that is more important than this matter, and if you vote for this resolution I predict now that there may be great danger in not getting an opportunity to vote for the national employment agency bill.

Mr. TILSON. A recess can not be taken, as the gentleman has indicated, unless a majority of this House says so, and that question can be decided on Monday.

Mr. DYER. Will the gentleman yield me two or three minutes?

Mr. TILSON. I yield the gentleman from Missouri three minutes.

Mr. DYER. Mr. Speaker, I would like to explain the parliamentary situation as regards the bill (S. 3060) which the gentlemen from New York has called to the attention of the House. It is a bill providing for the establishment of an employment service.

The Judiciary Committee of the House reported the bill out some time ago. A majority report and a minority report were filed, and later on, the Secretary of Labor asked to appear before the committee for the purpose of offering a substitute for the bill which the committee had reported. He appeared before the committee with a substitute bill and the committee adopted his bill as a committee amendment to the bill (S. 3060), which we had previously reported to the House. Hence when this bill (S. 3060) is reached on Monday, the chairman will offer this committee amendment as a substitute for the Wagner bill.

The Secretary of Labor was very earnest in his opposition to the Wagner bill. His objections were based not only upon the fact that it was an invasion of State rights and the undertaking to do by the Federal Government in the States what the States themselves should do, but to him it was a controversial matter as to how much farther the Federal Government should go in extending Federal aid to the States. He also urged the danger of launching upon such a program by the Federal Government because of the fact that once such a step was taken it would be difficult to get away from it and the expediture from the Treasury would grow from time to time until it would become a very great financial burden. He also stated that there were a number of States that prohibit taking employees from one State to another and hence the Wagner bill would get the Federal Government into all kinds of difficulties with the States in regard to securing labor in one State for use in another State. Among these States he mentioned Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and Texas. These States, he said, have laws that would, in one way or another, make very difficult the enforcement of the Wagner bill.

The Secretary of Labor also stated to the committee that if this legislation (the Wagner bill) were enacted into law, it would take his department probably at least two years or more to get it in workable shape. He said, therefore, that it would not benefit the present unemployment situation and that it would hamper and cripple what the Department of Labor is now doing to help out employment.

I was in favor of the original bill, and so reported, but the Secretary of Labor is the one who, under the law, must administer it, and when he appeared and said that he could not administer the bill as it was set out originally and that it would take a long time to put it in force, and asked for consideration of a substitute that would be effective and helpful, I felt it was our duty-and so did the committeeto give him a hearing. The result is that the committee has reported a committee amendment to the original bill, the amendment being the bill which the Secretary of Labor sub-

The matter will come up Monday and there will be no delay, I am sure, and full opportunity will be had to discuss it and to act upon it.

Mr. TILSON. Mr. Speaker, what the gentleman from Missouri [Mr. Dyer] has just said is all very interesting in regard to the merits of one of the bills to be considered, but it has nothing whatever to do with this particular resolution, which provides only that on next Monday there shall be opportunity, if the House so wishes, to take a recess and consider the Private Calendar at an evening session. There certainly can not be any valid objection to making such an order.

The SPEAKER. The question is on the motion of the gentleman from Connecticut to suspend the rules and pass the resolution.

The question was taken; and on a division (demanded by Mr. LaGuardia) there were-ayes 205, noes 34.

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

H. W. BENNETT

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9702), an act authorizing the payment of an indemnity to the British Government on account of losses sustained by H. W. Bennett, a British subject, in connection with the rescue of survivors of the U. S. S. Cherokee, with a Senate amend-ment and agree to the Senate amendment. ment and agree to the Senate amendment.

The Senate amendment was read, as follows: Page 1, line 7, strike out "\$253.50" and insert "\$400."

The Senate amendment was agreed to.

CONFERENCE REPORT ON THE INDEPENDENT OFFICES APPROPRIA-TION BILL

Mr. WASON. Mr. Speaker, I call up the conference report on the bill (H. R. 16415) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1932, and for other purposes.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate (No. 69, as amended) to the bill (H. R. 16415) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1932, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 69: That the House recede from its amendment to the amendment of the Senate numbered 69. and agree to the same with the following amendment: In lieu of the matter stricken out and inserted by such Senate amendment and the matter inserted by such amendment of the House to such Senate amendment insert the following:

"No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available during the fiscal year 1932 for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions, where oil of the production of the United States or its possessions is available, if the cost of such oil compared with foreign oil costs be not unreasonable.

"That in the expenditure of appropriations in this act the United States Shipping Board Merchant Fleet Corporation shall, except as provided in the preceding paragraph, unless in its discretion the interest of the Government will not permit, purchase for use, or contract for the use of, within the limits of the United States only articles of the growth, production, or manufacture of the United States, notwithstanding that such articles of the growth, production, or manufacture of the United States may cost more if such excess of cost be not unreasonable."

And the Senate agree to the same.

EDWARD H. WASON. JOHN W. SUMMERS, C. A. WOODRUM, Managers on the part of the House. HENRY W. KEYES, REED SMOOT, W. J. JONES, E. S. BROUSSARD. Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 16415) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1932, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report as to the amendment as follows:

On No. 69: The Senate had stricken from the bill the following House provision:

No part of the funds of the United States Shipping Board Mer-chant Fleet Corporation shall be available during the fiscal year

And had inserted in lieu thereof the following:

That in the expenditure of appropriations in this act for the United States Shipping Board Merchant Fleet Corporation, the said corporation shall, when in its discretion the interest of the Government will permit, purchase for use, or contract for the use, within the limits of the United States only articles of the growth, production, or manufacture of the United States, notwithstanding any existing laws to the contrary.

The House had then receded from its disagreement to the amendment of the Senate and had voted to agree to the same with an amendment, as follows:

No part of the funds of the United States Shipping Board Merchant Fleet Corporation shall be available during the fiscal year 1932 for the purchase of any kind of fuel oil of foreign production for issue, delivery, or sale to ships at points either in the United States or its possessions, where oil of the production of the United States or its possessions is available.

That in the expenditure of appropriations in this act the United States Shipping Board Merchant Fleet Corporation shall, except as provided in the preceding paragraph, unless in its discretion the

provided in the preceding paragraph, unless in its discretion the interest of the Government will not permit, purchase for use, or contract for the use of, within the limits of the United States only articles of the growth, production, or manufacture of the United States, notwithstanding that such articles of the growth, production, or manufacture of the United States may cost more if such excess of cost be not unreasonable.

The Senate had then further insisted upon its previous action and had asked for further conference, to which the House had insisted upon its amendment to the amendment of the Senate and agreed to the conference.

The conference committee agreed upon the language set forth in the accompanying report, to be in lieu of all previous

action of both Houses in the matter.

The recommendation of the committee of conference includes the language of the amendment of the House to the amendment of the Senate, with the following language added at the end of the first paragraph:

If the cost of such oil compared with foreign oil costs be not unreasonable.

> EDWARD H. WASON, JOHN W. SUMMERS, C. A. WOODRUM, Managers on the part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

RECONSIDERATION OF HOUSE RESOLUTION 364

Mr. McFADDEN. Mr. Speaker, I move to reconsider the vote by which the House Resolution 364 to strike from the RECORD remarks made by me on February 18 was agreed to.

The SPEAKER. The gentleman from Pennsylvania moves to reconsider the vote by which House Resolution 364 was agreed to yesterday.

Mr. BOYLAN. Mr. Speaker, I move to lay the motion on the table.

The SPEAKER. The question is on the motion of the gentleman from New York.

The question was taken; and on a division (demanded by Mr. McFadden) there were 110 ayes and 34 noes.

Mr. McFADDEN. Mr. Speaker, I object to the vote on the ground that there is no quorum.

The SPEAKER. The gentleman from Pennsylvania makes the point that there is no quorum present; the Chair will count. [After counting.] Two hundred and thirtyfive Members present, a quorum.

Mr. McFADDEN. Mr. Speaker, I demand the yeas and navs.

The question on ordering the yeas and nays was taken, and 19 Members arose in favor thereof; not a sufficient number. So the motion of Mr. Boylan to lay the motion of Mr. McFadden on the table was agreed to.

EVERGLADES NATIONAL PARK

Mr. COLTON. Mr. Speaker, as a privileged matter, by direction of the Committee on the Public Lands, I call up the bill S. 5410, an identical bill having been reported from the Committee on the Public Lands and being now on the calendar.

The SPEAKER. Is the gentleman acting under the direction of the majority of his committee?

Mr. COLTON. I am.

Mr. SNELL. Mr. Speaker, I make the point of order that the bill S. 5410, on the Union Calendar, can not be called up as a privileged matter.

Mr. COLTON. Mr. Speaker, I would like to be heard on the point of order. Mr. Speaker, when this identical matter was brought before the House two years ago I took the position that a similar bill was not a privileged matter, and I thought then that the position of the Speaker on that occasion and of the House on a previous occasion was wrong. But the ruling of the Speaker was against the position which I took. At that time it was decided, Mr. Speaker, that the test of parliamentary legitimacy was whether the bill showed upon its face an expenditure of public money or the disposition of public property. The Speaker, in making his ruling. called attention to the fact that the House had previously overruled his decision and had established the rule that the true test of parliamentary legitimacy was as I have just stated.

Mr. BANKHEAD. Will the gentleman kindly refer us to

the precedent of which he speaks?

Mr. COLTON. I refer to the ruling of the Speaker made on February 27, 1929, to be found on page 4569 of the daily Congressional Record of that date. It was my contention that on that occasion the position taken was wrong, but my point of order was overruled. The Speaker indicated in that ruling that there should be some discretion given to the Speaker, and if it was a matter of common knowledge that the bill would as a matter of fact entail an expenditure of public moneys, it ought not to be called up as a special privilege. In other words, it ought to be considered by the House in Committee of the Whole House on the state of the Union. That, Mr. Speaker, is the test; should a bill be considered in the Committee of the Whole, but the House had ruled, and the Speaker ruled in accordance with the statement made in Hinds' Precedents, volume 4, paragraph 410. That paragraph reads as follows:

A bill that may incidentally involve expense to the Government but does not require it is not subject to the point of order that it must be considered in the Committee of the Whole.

And I may say incidentally, in reply to the gentleman's point of order, that while this bill is on the Union Calendar. that is not a determining factor. If the bill is wrongly placed upon the Union Calendar, it is a privileged matter if it ought to have been placed on the House Calendar. The test, I repeat, is whether it shows on its face that it involves an expenditure of public moneys or the disposition of public property, and if a bill does not so show upon its face, then its position on the Union or the House Calendar makes no material difference whatever.

The test is, as I have indicated, the expenditure of money or disposition of property and whether the House should go into the Whole House on the state of the Union to consider the bill. My position before was that the Speaker should be allowed some latitude, but the ruling was otherwise, and the Speaker is bound by that precedent. He is bound more by the action of the House in overruling the Speaker on a former occasion, and I submit now that it is not fair to go up the hill, so to speak, when one bill is before the House, and then when an identical proposition is before the House that we may not care so much for, to march down the hill. If we are to do that, there will be no sanctity to the rules of this House and to the rulings of the Speaker.

Mr. SNELL. Mr. Speaker, will the gentleman yield? Mr. COLTON. Yes.

Mr. SNELL. Has the gentleman changed his own opinion as to whether the decision was right before or not?

Mr. COLTON. I will answer the gentleman by saying that I believe in law and order. I believe in sustaining the precedents of this House. I have not changed, but the Speaker's ruling and the vote of the House are against me; but my opinion is not the governing factor. This House has acted, and the Speaker, in accordance with that vote, ruled subsequently, and as a Member of this House it is my duty to

acquiesce in that ruling and in that precedent. I accept it as binding. I am arguing now against changing a well-established precedent. There is a proper way to change the rules of this House.

Mr. MICHENER. Mr. Speaker, will the gentleman yield? Mr. COLTON. Yes.

Mr. MICHENER. As I understand the matter, the present Speaker has ruled on this particular point, and held in a similar case that it was not necessary for the bill to show that a specific sum of money was to be spent, but if the bill clearly showed on its face that it authorized the expenditure of money even though indirectly, that the bill should be on the Union Calendar. The House, because it desired to pass a particular bill, overruled the Speaker and later when a similar point of order was before the House, the Speaker sustained the decision of the House in overruling him. Therefore, if the Speaker overrules the pending and if the ruling is not sustained, the action of the House will, in fact, be a sustaining of the original ruling of the Speaker.

Mr. COLTON. The gentleman from Michigan has attempted to say what was in the minds of the Members of Congress when we voted on that occasion, and I submit that there is nothing in the RECORD to indicate that they overruled the Speaker on the first occasion simply because they wanted to pass a bill. That is the opinion of the gentleman from Michigan. The record stands that the House overruled the Speaker when he ruled as I thought he ought to have ruled at that time. I believe that it was never intended that the Speaker should be just a mere machine in the chair-that he should not be allowed to use some discretion-but the House took the other position, and then when the bill came up two years ago the Speaker, following the precedent, ruled that he was bound by what was shown on the face of the bill. The Committee on Public Lands have acted in accordance with that decision, and this bill has been passed by the Senate, and it comes before the House to-day upon the belief that the House would act in good faith and sustain its previous position. It is now a privileged matter. I submit that it is no time now to go back and correct several rulings simply because some of the Members may not be in favor of the particular bill which is before the House. There are other ways of changing the rulings of the Speaker if they are not right.

Mr. SNELL. Mr. Speaker, I desire to be heard very briefly on this point of order. I am not so much interested in the bill before the House as I am in the practice and precedent that might be established to come back to bother us here in the future. It seems to me that in interpreting the rules of the House we should keep in mind the intent and purpose of the rules. We have to take into consideration what was intended by the rule when it was originally incorporated in the rules of the House. We have established by long precedence two calendars, a House Calendar and a Union Calendar. There must be some reason for having two calendars. The reason for the Union Calendar was to place upon it those bills which made appropriations of property or money that belonged to the Government.

Mr. COLTON. Does the gentleman contend that if a wrong reference has been made by the parliamentarian and a bill placed erroneously on the Union Calendar, that that is the determining factor?

Mr. SNELL. No. Not at all. I claim the bill was properly on the Union Calendar.

Mr. COLTON. Does the gentleman contend that this bill shows upon its face an expenditure of money or a disposition of public property?

Mr. SNELL. Absolutely; and I will attempt to show it to the gentleman. I maintain that when we established these two calendars it was for a specific purpose, and the reason we established a Union Calendar was so that it would not be so easy to get money out of the Treasury of the United States. It was for the protection of the people that we established the Union Calendar. If we should adopt the

practice which the gentleman from Utah [Mr. Colton] has expressed a desire to adopt, eventually every chairman of a committee in this House will be careful to draw his bills in such way that on the face of them there will not be the dollar sign. Then, if we can not get the bill through the House he will go to another body, where they sometimes put them through easier than we do here, and then bring it back to the House, and the gentleman will be able to call up his bill as a privileged matter. In a short time you will have all of these matters here as privileged matters, regardless of the rules of the House that bills authorizing appropriations shall be considered in the Committee of the Whole.

Mr. COLTON. Will the gentleman yield?

Mr. SNELL. I yield.

Mr. COLTON. The gentleman is in a better position than any Member of this House to bring in a rule, under proper conditions, to change this situation. I will go along with the gentleman, but I submit it is not the right time to change it now.

Mr. SNELL. The fact that we have made one or two mistakes is no reason why we should continue to make them. We have overruled some good decisions. There are just as many decisions against the position of the gentleman as there are in favor of it.

Mr. COLTON. If there was any evidence whatever that this committee had acted for the purpose which the gentleman has indicated, there might be some strength in his argument, but until that situation presents itself I submit the House is not justified in overruling the precedents because it may be against a bill.

Mr. SNELL. I make the statement that if you desire to continue this practice you can do exactly as I have said. If the gentleman from Illinois [Mr. Britten] desires to bring in a bill for the Committee on Naval Affairs, authorizing the construction of a battleship, that does not place any limit on the cost, it will be just as properly on the House Calendar as this bill.

Mr. COLTON. Surely the gentleman does not argue that. Mr. SNELL. I argue it would be just as properly on the House Calendar as this bill, because the bill he would bring in would not have the dollar sign on it, and the only thing the gentleman is arguing as a reason for getting his bill on the House Calendar is that it does not show on the face of it that it takes money out of the Treasury of the United States. The other bill, authorizing construction, would not show on the face of it that it took any money out of the Treasury. If you carried this to the extreme, a great deal of our legislation could be done in that way and it would cause considerable trouble and break down the precedent of years of consideration of certain bills in the Committee of the Whole.

Permit me to call attention to section 3 of this bill:

The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916.

Does the gentleman maintain there will not be any expense to the Federal Government under those considerations? Does the gentleman maintain that under the act establishing national parks in 1916, which provides for the care, maintenance, construction, and development, there will be no expense to the Federal Government? It is absolutely inconceivable that anybody should maintain that would be the effect. As a matter of fact, several years ago there was a ruling made by Mr. Speaker Cannon, after considerable careful study on this very same subject, in which he said that where you set in motion the machinery that eventually is going to bring about a charge on the Public Treasury the bill should be on the Union Calendar, and be considered in the Committee of the Whole.

I maintain, even though we do overrule the Speaker and overrule the House itself, we are doing what is right, and we are doing what we ought to do to protect the House in the future on this kind of proposition.

Mr. COLTON. Will the gentleman yield further? Mr. SNELL. Certainly.

Mr. COLTON. The gentleman then admits that under the precedents of the House, established both by a vote of the House and by ruling of the Speaker, this is a privileged matter?

Mr. SNELL. If the gentleman is going to follow that, yes; but as a matter of fact when the original decision was made on the bridge bill, which the Speaker followed on the Arkansas park bill, there were several outside conditions that arose at that time, in which case it was not really directed at the decision of the Speaker. It was more of a geographical and political proposition, to a certain extent, than the mere fact that the House desired to overrule the decision of the Speaker or even thought the Speaker was wrong in his position.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. SNELL. Certainly.

Mr. BANKHEAD. I understand the gentleman takes the position that this bill should properly be upon the Union Calendar for the reason that by inference, at least, it will some time carry an appropriation out of the Treasury.

Mr. SNELL. I even go further than saying "by inference." If section 3 does not provide for the expenditure of funds out of the Federal Treasury, I do not understand the English language.

Mr. BANKHEAD. The gentleman will agree that there is certainly no specific authorization for any appropriation carried in this bill?

Mr. SNELL. There is no dollar sign on the bill. I admit that.

Mr. BANKHEAD. And the gentleman will further agree that there is a specific proviso in the first section of the bill that the Government of the United States shall be at no expense in the acquisition of this territory?

Mr. SNELL. I admit that the territory is going to be given

Mr. BANKHEAD. So that summing up the argument of the gentleman, it is that there might some time in the future be, inferentially, a charge against the Treasury because of the fact that the administration, protection, and development of the park is placed in the hands of the Secretary of the Interior?

Mr. SNELL. Does not the gentleman agree with me and does not the gentleman believe that if we take over this land there will be a charge on the Federal Government? I ask the gentleman to answer that.

Mr. BANKHEAD. I will answer the gentleman.

Mr. SNELL. Does not the gentleman believe that?

Mr. BANKHEAD. If any inference is to be drawn at all, it must be drawn from the language of the bill, and strictly interpreting the language of the bill it might be that an appropriation would not necessarily be involved, and for this reason that the Secretary of the Interior might say that the administration of the details of carrying on this park shall be under general regulations already prescribed for other parks in the country, and there might be the logical conclusion drawn from other inferences that there would not necessarily be any specific charge against the Treasury in the future. Certainly there is no immediate charge contemplated and no deduction is authorized to be drawn that it is set up in the language of this bill.

Mr. SNELL. Answering the gentleman along that line, I will say that one of the most earnest proponents of this bill, in talking with me a few days ago, said this: He told me how valuable the land was and that they were giving something to the United States. I said: "Why do you not keep it yourselves?" He said: "We can not afford to maintain, develop, and protect it." Furthermore, I understand that Mr. Albright himself has said that one of the first things he was going to ask for was a road leading through it to cost at least \$1,000,000.

Mr. BANKHEAD. Certainly, a private conversation between the gentleman and Mr. Albright would not bind the Speaker in interpreting the rules of the House.

Mr. SNELL. The gentleman did not answer my question as to whether he believes there will be no expense to the Federal Government in the future.

Mr. BANKHEAD. I do not know, but I would not undertake to say that some 10 years in the future a charge might not be levied against the Government, but the inquiry addressed to the Chair is whether or not there is an inference that may be legitimately drawn from the language of this bill as now presented that it makes a charge upon the Federal Treasury.

Mr. SNELL. If the gentleman will couple the language here with the language contained in the act establishing the national parks, I am sure he could not get away from the conclusion that that means an expenditure on the part of the National Government.

Mr. BANKHEAD. The Speaker is not required to couple this language with any other language.

Mr. SNELL. The bill refers to the provisions of the act of August 25, 1916, and that is made a basis for this bill.

Mr. BANKHEAD. I know; but that does not carry any charge.

Mr. SNELL. Yes; it does. It further provides for the maintenance, care, and expense of the park. Therefore, Mr. Speaker, I maintain that because it authorizes expenditure, and because if we do not rectify an error in judgment that was made some time ago, we will have many more matters of this kind to plague us, just as this one has. The point of order should be sustained.

Mr. LaGUARDIA. Mr. Speaker, in response to the inquiry made by the gentleman from Alabama, permit me to call the Speaker's attention to the fact that this bill in and of itself carries an authorization under which appropriations might be had. Let me call the Speaker's attention to section 3, which provides that—

The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat. 535).

Which is now included in title 16 of the United States Code of Laws. Why, it is sufficient to read section 1 of the National Park Service law:

Section 1. Service created; director; other employees: There is created in the Department of the Interior a service to be called the National Park Service, which shall be under the charge of a director. The Secretary of the Interior shall appoint the director, and there shall also be in said service such subordinate officers, clerks, and employees as may be appropriated for by Congress. The service thus established shall promote and regulate the use of the Federal areas known as national parks, monuments, and reservations hereinafter specified by such means and measures as conform to the fundamental purpose of the said parks, monuments, and reservations which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

The very first section of that act provides that-

There is created in the Department of the Interior a National Park Service.

Then it provides for the employment of the necessary personnel. No further authorization is necessary to obtain appropriations, so that reference to this statute in the bill now before the House is sufficient authorization for the National Park Service to go before the Committee on Appropriations and obtain the necessary funds to carry out the intent and purpose of this bill.

The Speaker can not be deprived of common sense by any decision or any vote overruling any previous decision made by the Speaker. If this were a bill by which the State of Florida presented 50 horses to the United States Government, the Speaker would necessarily have to take judicial notice of the fact that these horses had to eat and had to be fed. Such a bill naturally involves a charge on the Treasury. Likewise, in the bill now before us, which provides for the donation of land, it also provides for the creation of a national park. If the bill stopped with the simple donation of land, it would not be subject to a point of order; but it provides that this land shall be used as a national park, and the bill refers to the act creating the National Park Service, in which act there is sufficient authority to obtain all the necessary appropriations.

Surely there can be no question but that this is a bill which must be considered in the Committee of the Whole. It involves an expenditure; the authority for the expenditure is right here before us, and you can not get away from it.

Mr. COLTON. Will the gentleman yield?

Mr. LaGUARDIA. Certainly.

Mr. COLTON. I will say I think the gentleman has made a very good argument, because I made exactly the same argument two years ago.

Mr. LAGUARDIA. That is where I got it.

Mr. COLTON. But the Speaker and the House have said the gentleman is wrong.

Mr. LaGUARDIA. But the Speaker said that although the Chair was bound by the decisions, he must examine the face of the bill. Mr. Speaker, it is not necessary to find a dollar mark in the bill; but by examining the face of the bill the Speaker will find in this instance that it is mandatory to use this land as a national park, to supervise it, to operate it, and to protect it and to develop it in accordance with the provisions of the act in the bill recited. That is on the face of the bill, and the Speaker can not avoid it.

Mr. TREADWAY. Mr. Speaker, a question has been raised here as to the likelihood of expense on the Federal Government. It happens that I have had two interesting interviews with Mr. Albright on this matter, and it need not be hearsay evidence or secondhand evidence. I can testify that Mr. Albright has said to me within a week or 10 days on two different occasions that the first thing necessary would be the building of a road costing \$1,000,000.

Mr. COLTON. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. COLTON. Will the gentleman contend that the Speaker could take into consideration a conversation of Mr. Albright in determining what is contained in this bill?

Mr. TREADWAY. Inasmuch as Mr. Albright is the person who will administer this bill under the direction of the Secretary of the Interior, provided the bill is passed, I think we very well may get Mr. Albright's view on the measure.

He said further, Mr. Speaker, that in addition to the construction of this road it would be necessary to police it and have park rangers, the same as in the other parks, naturally, at an expense for their salaries and maintenance. He further said that in order to explore the park or make it accessible these rangers would probably need a hydroplane to get about in policing and investigating the park itself. This is language that Mr. Albright used to me—that the rangers would explore this park by hydroplane.

Mr. CLARKE of New York. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. CLARKE of New York. Why could they not charter that boat with its extra power that the Senate committee had?

Mr. TREADWAY. I was about to suggest to the Speaker, when the gentleman from New York asked me the question, that it is not necessary to await the adoption of this bill to see whether there is to be expense on the Federal Government or not, because during the Christmas holidays a group of Members of another body investigated, or tried to investigate, this park, and we find in the records of one of the committees of another body an expense account of \$3,000, including \$1,687.50 for the employment of a yacht—

Mr. BANKHEAD. Mr. Speaker-

Mr. TREADWAY (continuing). Exploring the bayous and the passageways in this particular location, and it was also remarked that this was too large a yacht to get into some of the creeks and bayous, so that it was necessary to have an auxiliary boat, smaller in size and capacity.

Mr. BANKHEAD. Mr. Speaker, I make the point of

Mr. TREADWAY. Therefore, it does not seem to me possible that there is any question about money being expended if the bill is passed

Mr. BANKHEAD. Mr. Speaker, I make the point of order the gentleman is not discussing the point now before the Speaker; but inasmuch as the gentleman has taken his seat, I withdraw the point of order. Mr. STAFFORD. Mr. Speaker, may I say a word?

As the Speaker and Members know, I was not a Member of the House when the present occupant of the chair made his decision upon the Ouachita National Park bill. I have examined the Record, and that Record does not disclose the contents of the bill then before the Speaker for determination, but this bill, as pointed out by the two respective gentlemen from New York [Mr. Snell and Mr. LaGuardial clearly on its face, when taken into consideration with the organic act creating the National Park Service, imposes a charge upon the Treasury which would be warrant, if this authorization were adopted, to permit an appropriation from the Committee on Appropriations under the National Park Service.

I call attention to the general authority in the organic act creating the National Park Service, namely chapter 408, of the Sixty-fourth Congress, found at page 535, Thirty-ninth Statutes at Large, where the following authority is lodged in the National Park Service:

SEC. 3. He-

The Secretary of the Interior-

may also, upon terms and conditions to be fixed by him, sell or dispose of timber in those cases where, in his judgment, the cutting of such timber is required in order to control the attacks of insects or disease—

And so forth.

He may also provide in his discretion for the destruction of such animals and of such plant life as may be detrimental to the use of any of said parks or monuments or reservations.

Further-

He may also grant privileges, leases, and permits for the use of land for the accommodation of visitors to the various parks.

All these respective authorities connote the idea of expenditure, a charge on the Treasury which, if we pass this bill, would be a warrant, as I said a moment ago, for the Appropriations Committee or any Member on the floor here to offer an amendment to provide for these respective services.

I can not say now whether the Ouachita National Park bill contained this section 3, but clearly here there is specific authorization, when considered with the organic act referred to, imposing a charge upon the Treasury.

Going one step further, in amplification of the position of the gentleman from New York [Mr. Snell], what is the philosophy of having bills considered on the Union Calendar when they make a charge upon the Treasury? The theory is that one Member, like the gentleman here, can foreclose debate on the consideration of the bill.

The theory is that every Member of the House has a right to determine after discussion whether we should impose any burden on the taxpayers of the country. Here the gentleman can move the previous question without one word of debate, and the Members would be foreclosed—a rush method. A method that the parliamentary leaders of the House when they put into the rules the provision that these bills should be considered on the Union Calendar, so that the respective Members may have the privilege under the 5-minute rule to offer amendments.

Mr. BANKHEAD. Mr. Speaker, I shall detain the Chair but a few moments. I remember with a great deal of interest the discussion upon the point of order when it was decided by the present occupant of the chair in 1929. Every contention now made by those arguing in favor of the point of order was at that time presented to the Chair. There is only one proposition now pending, as I understand it, before the Chair, and that is whether or not any new facts have been presented or any new arguments have been offered that would impel the Chair to change his opinion then rendered after mature consideration.

The Chair will recall that Mr. Garrett, of Tennessee, in arguing a point of order which was based on this identical procedure—

Mr. COLTON. And the same language in the bill.

Mr. BANKHEAD. And the same language in that bill as the bill now before the Chair—the gentleman from Ten-

nessee cited four rulings made by other occupants of the chair upon this identical point of order.

Hinds' Precedents were cited in Mr. Garrett's argument to the effect that a bill which might involve a charge on the Government that does not necessarily do so need not go on the Calendar of the Committee of the Whole.

Thus a bill that may incidentally involve expense to the Government, but does not require it, is not subject to the point of order that it must be considered in Committee of the Whole.

Paragraph 4811: to require consideration of the Committee of the Whole, the bill must show on its face that it involves an expenditure of money, property, and so forth.

The next paragraph where it is a mere matter of speculation the rule requiring consideration in Committee of the Whole House on the state of the Union does not apply.

Now, here is what the Speaker said when the same argument, the same precedents were then presented, the same parliamentary construction of language apparently identical with that now before the Chair. He made this decision:

The Chair is prepared to rule.

Were it not for the decision cited by the gentleman from Tennessee [Mr. Garrett] and others, wherein the House decided the question, the Chair would feel itself in some doubt about this bill, as he did on the bridge bill. With all due humiliation—

And I presume the Chair to-day is imbued with as much humility as he was on that occasion—

the Chair still thinks he was right in his decision in that case, although he bows, of course, to the combined wisdom of his colleagues in the House. The Chair believes that some day this decision of the House is going to come up to plague us, but for the time being he feels bound by it, and he feels that this case is on all fours with it.

The Chair concluded with this statement:

The Chair thinks that he is bound by that decision, that he must examine the case of the bill alone, and not use any discretion or judgment or knowledge or inclination of any kind. The Chair therefore overrules the point of order.

Mr. COLTON. Mr. Speaker, just one moment. During the presentation of this identical proposition a few years ago in an argument before the Speaker I used almost the same language that the gentleman from Wisconsin has just used. May I read two sentences from that statement?—

The act of August 25, 1916, which is expressly made a part of this act, authorizes the Secretary of the Interior to employ whatever help he needs in the administration of a park; in other words, it is a general authorization act for the use of money.

So that that question was as squarely before the Speaker at that time as it is to-day; there is not a particle of difference. This is exactly the same as the question before the Speaker at that time.

The SPEAKER. It is scarcely necessary for the Chair to say that in this instance he is not considering in the remotest degree either the merits or demerits of this bill any more than he was on the two previous occasions on which he delivered a ruling, and he hopes also that in all cases which are purely a matter of the construction of the rules of the House and the adherence to proper precedents that Members will not be influenced on the question by the merits or demerits of any particular bill that may be before the House.

The Chair finds himself in exactly the same situation that he was in on the occasion referred to by the gentleman from Alabama [Mr. Bankhead], and he may say also to the gentleman that he is in an equally humble frame of mind. The Chair states with entire frankness that if this bill was presented to him for analysis, were it not for the decision of the House in overruling the Chair on a previous occasion—and may the Chair say that he is very happy to state that in all of the six years he has been Speaker he has been overruled but once [applause]—he would say, without hesitation, that it is quite apparent that this bill creates a charge upon the Treasury. Section 3 of the bill provides:

The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service.

Is it conceivable that it does not cost money to administer a national park? Is it conceivable that it does not cost money to protect it? Is it conceivable that it does not cost money and possibly very large sums of money to develop it, particularly such a park as this, embracing as it does, as I understand, some 2,000 square miles? Is there anyone who has any power of mental reasoning who would say it would not cost money to develop a park 2,000 square miles in extent? Yet this bill does not say so on its face; it has not, as the gentleman from New York said, the dollar mark upon it. The Chair does not believe it to be necessary that an immediate charge should be had. The Chair thinks the correct ruling is that of Mr. Speaker Cannon, on December 12, 1904, to be found in volume 4, Hinds' Precedents, section 4837:

A bill which sets in motion a train of circumstances destined ultimately to involve certain expenditure must be considered in Committee of the Whole.

That was confirmed in almost the same language by Mr. Speaker Clark on June 30, 1914. (Cannon's Precedents, section 9352.) Is there anyone here who will say that a proposition to administer, protect, and develop a park, situated in swampy ground, 2,000 square miles in extent, does not set in force a train of circumstances—

Destined ultimately to involve certain expenditure?

Is there anyone who will say that? But the Chair under the decision of the House is not permitted to exercise even that very slight degree of intelligence which would be necessary to come to such a conclusion.

On January 6, 1927, a bridge bill was under consideration. The building of the bridge was a matter of great concern to two States. One State, the State of Oregon, was very strongly against it, and another State, the State of Washington, was very strongly in favor of it. The provision in the bill was that the work should be undertaken and estimates made, and so forth, by three different Secretaries—the Secretary of War, the Secretary of Commerce, and the Secretary of Agriculture. Provision was made for the summoning of witnesses from all parts of the country. It seemed to the Chair, on that occasion, exercising that very slight degree of intelligence to which he referred, that that on the face of it was going to cost money, but in order to be perfectly sure he corresponded with the various Secretaries, and they submitted to the Chair preliminary estimates of the amount of money it was going to cost to make that investigation. It involved, they stated, a good many thousand dollars. The Chair thus had official information from the heads of the departments undertaking the work that a large sum of money would be necessary if the bill should become a law, and the Chair has been informed since then that very much money, many thousands of dollars, has been expended by the Government on this bridge proposition. The Chair knew as well as he knows that he is standing here to-day that that bill would create a charge on the Treasury, inevitably, but the argument used by the gentleman from Tennessee, Mr. Garrett, the former very able minority leader and an excellent parliamentarian, was apparently very appealing to the House. On that occasion (January 6, 1927, CONGRESSIONAL RECORD, pp. 1173-1179) Mr. Garrett said:

Mr. Speaker, take my own situation. The Chair speaks of the knowledge the Chair has of the controversy. The Chair I know is perfectly familiar with it. Now, I am not. It may be that inasmuch as there have been various publications in the papers in connection with this bill, I ought to have known more about it, but all I know of the matter, excepting what has been developed here this morning, I derive from the reading of the bill itself, from the bill only, and I dare say that every Member of the House who has not had personal knowledge touching the situation, such as naturally comes to the Chair, derives the information from the bill, and the bill does not show upon its face the fact that expenditures will be engendered.

The Chair finds himself in the position that, in order to agree with the statement of the gentleman from Tennessee and a subsequent decision of the House in matters of this sort, he must endeavor to be a profound ignoramus; and he feels that in the face of the decision of the House which he

held two years ago binding upon him he can not undertake to overrule it. However, such action as the House might see fit to take, the Chair would abide by with equanimity. The Chair overrules the point of order.

Mr. LaGUARDIA. Mr. Speaker, I respectfully appeal from

the decision of the Chair.

Mrs. OWEN. Mr. Speaker, I move to lay that appeal on the table.

The SPEAKER. The gentleman from New York [Mr. LaGuardial appeals from the decision of the Chair, and the gentlewoman from Florida [Mrs. Owen] moves to lay the appeal on the table.

The question is on the motion of the gentlewoman from Florida.

The question was taken; and on a division (demanded by Mr. Bankhead) there were—ayes 59, noes 185.

So the motion was rejected.

The SPEAKER. The question is, Shall the decision of the Chair stand as the judgment of the House?

The question was taken; and the House decided that the decision of the Chair should not stand as the judgment of the House.

The SPEAKER. The Chair is overruled. [Laughter.]

UNITED STATES NAVAL HOSPITAL, WASHINGTON, D. C.

Mr. BRITTEN. Mr. Speaker, by direction of the Committee on Naval Affairs, I move to take from the Speaker's table the bill (H. R. 9676) to authorize the Secretary of the Navy to proceed with certain public works at the United States Naval Hospital, Washington, D. C., with Senate amendments, and agree to the Senate amendments.

The Clerk reported the bill by title and read the Senate amendments, as follows:

amendments, as follows:

Page 1, line 4, strike out "construct suitable buildings for hospital purposes" and insert "replace, remodel, or extend existing structures and to construct additional buildings with the utilities, accessories, and appurtenances pertaining thereto."

Page 1, line 6, strike out "\$1,500,000" and insert "\$3,200,000."

Page 1, line 7, strike out "\$250,000" and insert "\$100,000."

Page 2, after line 4, insert:

"SEC. 2. The Secretary of the Navy is hereby authorized to employ, when deemed by him desirable or advantageous, by contract or otherwise, outside professional or technical services of persons, firms, or corporations to such extent as he may require for the purposes of this act, without reference to the classification act of 1923, as amended, or to section 3709 of the Revised Statutes of the United States, in addition to employees otherwise authorized and expenditures for such purpose shall be made from the naval expenditures for such purpose shall be made from the naval hospital fund."

Mr. McCLINTIC of Oklahoma. Mr. Speaker, reserving the right to object, this bill materially increases the amount of appropriation over the legislation that was passed by the House. Recently a bill was passed and has been signed by the President, I understand, appropriating several million dollars for the construction of a hospital at Philadelphia, Pa., for the purpose of taking care of veteran patients. Since the passage of that bill legislation has been passed authorizing some twelve or fifteen million dollars, if I remember correctly, for the construction of additional hospitals by the Veterans' Bureau to take care of veteran patients. When those hospitals have been completed then there will be provided, so I am informed, about 10,000 additional beds. The Veterans' Bureau has already made the statement that as soon as the hospital facilities are available they will withdraw veteran patients from the naval hospitals, thereby leaving a number of hospitals with a number of beds which will be empty. I have opposed this class of legislation as a policy, believing that each bureau of the Government should stand upon its own legs and that the Veterans' Bureau should pass the kind of legislation that would take care of its own patients. If they do not have a sufficient amount of money to provide hospitals, it is the duty of Congress to give it to them. So, if this comes up by unanimous consent I shall be compelled to

Mr. BRITTEN. Mr. Speaker, I made a motion to take the bill from the Speaker's table. I did not ask unanimous consent.

The SPEAKER. The gentleman from Illinois moved to take from the Speaker's table the bill H. R. 9676, with Senate amendments, and agree to the Senate amendments.

Mr. STAFFORD. Mr. Speaker, I make the point of order that the Senate amendments involve a charge on the Treasury and accordingly they are not privileged amendments.

Pending the examination by the Speaker of the point of order, I wish to make inquiry of the gentleman from Illinois [Mr. Britten] as to the merits of the proposed Senate amendments. As I recall, although my memory may be at fault, when the House bill was under consideration, as the bill passed the House it provided for the establishment, in the discretion of the Navy Department, of this naval hospital somewhere else than the present site.

Mr. BRITTEN. No; there is nothing in the bill to that effect.

Mr. STAFFORD. I was under the impression that the argument made was that the present site was circumscribed and it would be advantageous and advisable to remove the naval hospital in the District of Columbia to a new site, rather than to enlarge the present quarters.

Mr. WOODRUFF. Will the gentleman yield? Mr. STAFFORD. I yield. Mr. WOODRUFF. I think the gentleman has in mind the establishment of a great health center having nothing whatsoever to do with the naval hospital. On the naval hospital grounds now there are certain laboratories of the Health Department of the United States which, under the establishment of the new health center, would be moved to the location selected for that purpose, and the land now occupied by these laboratories would revert to the Navy Department and be available for use in the location of the buildings contemplated by this bill.

Mr. STAFFORD. The proposed Senate amendments are very radical, as I remember them.

Mr. BRITTEN. Oh, no.

Mr. STAFFORD. They provide a much larger appropriation than was carried in the House bill.

Mr. BRITTEN. The Senate amendments improve the bill. The SPEAKER. Will the gentleman from Wisconsin IMr. STAFFORD] please point to the particular paragraph which he

regards as the subject of the point of order?

Mr. STAFFORD. Mr. Speaker, I have before me H. R. 9676 with Senate amendments. The copy of the print shows the first amendment is to strike out \$1,500,000 and substitute \$3,200,000. Certainly that is an additional charge on the Treasury of the United States of \$1,700,000. It is increasing the charge on the Treasury by that amount. If the House is going to consider a proposal of this character which involves a charge on the Treasury, then the House should be given the privilege of discussing the propriety of the increase.

The SPEAKER. The Chair will call the gentleman's attention to a decision by Mr. Speaker Randall, found in Hinds' Precedents, Vol. IV, section 4797:

A Senate amendment which is a modification merely of a House proposition, like the increase or decrease of the amount of an appropriation, or a mere legislative proposition, and does not involve new and distinct expenditure, is not required to be considered in Committee of the Whole.

The Chair thinks that is this case exactly.

Mr. STAFFORD. I call the Chair's attention to the change in language. The provision as it passed the House authorized the Secretary of the Navy to construct suitable buildings for hospital purposes. The Senate amendment struck out that language and inserted this language:

Replace, remodel, or extend existing structures and to construct additional buildings with the utilities, accessories, and appurtenances pertaining thereto.

The question arises, Mr. Speaker, whether that additional language, "with the utilities, accessories, and appurtenances pertaining thereto," is supplementary to the original authorization to construct suitable buildings for hospital purposes.

The SPEAKER. The Chair would think that language was rather restrictive than otherwise. The provision "to construct suitable buildings for hospital purposes" is very broad authority, while the language inserted by the Senate is restrictive.

Mr. STAFFORD. I would hold that authority to construct suitable buildings does not grant to the Secretary of the Navy the right to purchase utilities, accessories, and appurtenances, which have been added by the Senate. I grant, Mr. Speaker, that the language providing for the replacing, remodeling, and extension of existing structures does not elaborate the language as passed by the House, but I do contend that the authority to purchase utilities, accessories, and appurtenances is nowhere involved in the original language.

The SPEAKER. It would seem to the Chair that an authorization to construct suitable buildings for hospital purposes would necessarily include appurtenances to make the hospital useful.

Mr. BRITTEN. And, Mr. Speaker, the Senate wanted to make certain that the cost of the hospital completed would not exceed \$3,200,000, so it put that language in the

The SPEAKER. The Chair thinks this comes under the decision made by Mr. Speaker Randall and therefore overrules the point of order.

The question is on the motion of the gentleman from Illinois to concure in the Senate amendments.

The Senate amendments were agreed to.

On motion of Mr. Britten, a motion to reconsider the vote by which the Senate amendments were agreed to was laid on the table.

GEORGE WASHINGTON BICENTENNIAL

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 6041, to authorize an appropriation of funds in the Treasury to the credit of the District of Columbia for the use of the District of Columbia Commission for the George Washington Bicentennial.

The SPEAKER. The gentleman from Maryland asks unanimous consent for the present consideration of a Senate bill, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of funds in the Treasury to the credit of the District of Columbia, the sum of \$100,000, to be expended by the District of Columbia Commission for the George Washington Bicentennial: Provided, That the expenditure of the money by the District of Columbia Commission for the George Washington Bicentennial herein authorized shall be made under such regulations as may be prescribed by the Commissioners of the District of Columbia.

Mr. STAFFORD. Will the gentleman from Maryland yield to me for a parliamentary inquiry?

Mr. ZIHLMAN. Yes.

Mr. STAFFORD. Mr. Speaker, will the Speaker acquaint the membership of the House as to whether he has arrived at a decision as to the suspensions to-day under the order of the House?

The SPEAKER. The Chair is unable to state at this moment. He has quite a large list of suspensions but is not quite sure which he will recognize. The Chair will state, however, that he will make no recognitions before quarter to 4, as he thinks bills on the Consent Calendar should be considered up to that time, and the bills to be taken up under suspension will not be of a highly controversial nature. Is there objection to the request of the gentleman from Maryland?

Mr. BLANTON. Mr. Speaker, reserving the right to object, will the gentleman from Maryland yield?

Mr. ZIHLMAN. Yes.

Mr. BLANTON. Has this matter been approved by the gentleman from Indiana [Mr. Woop]?

Mr. ZIHLMAN. The gentleman from Nebraska is here. Mr. SIMMONS. I think this is an emergency and that the bill ought to go through.

Mr. BLANTON. Has the matter been approved by the gentleman from Indiana [Mr. Wood], the chairman of the Committee on Appropriations?

Mr. SIMMONS. I do not know; but I think the gentle-

think the bill should pass and it is necessary that it pass to-day.

Mr. BLANTON. The matter, then, has not been submitted to the gentleman from Indiana [Mr. Wood]?

Mr. SIMMONS. Not by me; no.

Mr. BLANTON. Has the matter been submitted to the President's Budget?

Mr. SIMMONS. The Budget Bureau has approved the legislative bill, as I understand.

Mr. BLANTON. When we have a joint commission looking after this matter and have given them all the funds they require, why is it necessary to appropriate another \$100,000 and put it in the hands of the Commissioners of the District of Columbia?

Mr. ZIHLMAN. This is the contribution on the part of the District to the celebration.

Mr. BLANTON. How is this going to be spent by the District Commissioners?

Mr. ZIHLMAN. In the interest of the celebration.

Mr. BLANTON. In overhead and in salaried jobs? Mr. ZIHLMAN. I can not answer that question specifically.

Mr. BLANTON. Has the gentleman from Maryland or the gentleman from Nebraska had any estimate as to the way in which this \$100,000 is going to be spent by the District of Columbia?

Mr. ZIHLMAN. I will state that the president of the Federation of Citizens' Associations in the District appeared before the committee and gave an outline of their plans in connection with their contribution to this celebration. This \$100,000 is to come from District funds and not from Federal funds.

Mr. BLANTON. I am not going to object, but I want to get before the membership the fact that gentlemen can bring in a matter involving as much as \$100,000, get it up on the floor by unanimous consent, and pass it, when it has not even been submitted to the chairman of the Committee on Appropriations.

Mr. SIMMONS. This is merely an authorization. It is not an appropriation.

Mr. BLANTON. But the gentleman from Indiana, who watches the exchequer of the Government, ought to be apprised of these matters that will force him later to take \$100,000 out of the Treasury.

Mr. PATTERSON. The gentleman from Texas does not take the position, I hope, that every measure providing for an authorization should first be submitted to the gentleman from Indiana?

Mr. BLANTON. I think it ought to be.

Mr. PATTERSON. I do not think so.

Mr. BLANTON. Because the chairman of the Committee on Appropriations, however extravagant he might have been as an ordinary Member, when he becomes chairman of that great committee begins to look after the Government's side of every proposition.

Mr. COLLINS. Will the gentleman yield to me? Mr. BLANTON. I am through. I shall not object.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire, because \$100,000 is a tidy sum for expenditure by the Commissioners of the District of Columbia in connection with the celebration of the bicentennial, as to whether any budget has been arranged with respect to the major items of this authorization.

Mr. ZIHLMAN. I will say to the gentleman that they have in the District of Columbia, in addition to the National Commission on the George Washington Bicentennial, a local commission made up of a number of the most prominent citizens, educators, and clergymen in the District, and this money will be spent under the direction of this commission, as I understand it.

Mr. STAFFORD. Yes; but \$100,000 is quite a large amount. Is it purposed under this bill to pay the traveling expenses of specially invited guests of the District Commissioners or what is the real purpose in the use of the \$100,000? It is not \$25,000. I can readily conceive how \$25,000 would man from Indiana would take my judgment on it, and I | be expended, but how will \$100,000 be expended? Just give

us some general idea as to the purpose for which the appropriation is to be used. I am serious in the matter and the report does not show anything whatsoever about how the money is to be expended.

Mr. ZIHLMAN. I will say to the gentleman that this fund, if it is authorized, will come from the funds of the

District of Columbia.

Mr. STAFFORD. That is one reason why we should be

more circumspect in its appropriation.

Mr. ZIHLMAN. And various trade bodies, civic organizations, the District Commissioners, and the Federation of Citizens' Associations have all urged that this authorization be made in order that they may make a proper contribution to this great celebration on which the Federal Government will expend approximately millions of dollars.

Mr. STAFFORD. Oh, not millions. Mr. ZIHLMAN. Yes; they have spent that already.

Mr. STAFFORD. I challenge that statement, because on the floor of the House the distinguished Representative from New York [Mr. Bloom] said in reply to an inquiry made by me that the total authorization up to date is something less than \$800,000.

Mr. ZIHLMAN. I will say to the gentleman that the Mount Vernon Boulevard was authorized as a further testimonial by the National Government and as a contribution to the celebration and that involves the expenditure of a

million dollars.

Mr. HOLADAY. If the gentleman will yield to me, perhaps I can give the gentleman from Wisconsin some information. It is my understanding that the citizens of Washington, feeling that the George Washington celebration will rather center here in Washington, desire to put on some pageants and things of that kind at the expense of the citizens of the District. The business men are raising some funds from private sources, and I understand in a general way what the program is to be. I think the first pageant they intend to have is a reproduction of the inauguration of George Washington, and from time to time there will be other things of that character for the benefit and the entertainment of the citizens of the United States generally who may come to Washington.

Mr. ZIHLMAN. I failed to state to the gentleman-

Mr. STAFFORD. Now, we have some informing facts as to what is contemplated by the commission, but the letter of the commissioners and the report gave no definite information. I am in hearty sympathy with some amount being voted, but I wanted to know how \$100,000 was going to be expended.

Mr. ZIHLMAN. I may also say to the gentleman that it was stated before our committee that an equal amount would be raised by private subscriptions here in the District of Columbia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. ZIHLMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

REGULATION OF EXTERIOR ADVERTISING IN THE DISTRICT OF

Mr. ZIHLMAN presented the following conference report on the bill (S. 4022) to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia.

ADDRESS BY HON, CHARLES A. EATON OF NEW JERSEY

Mr. ACKERMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech of my colleague the gentleman from New Jersey [Mr. Eaton] on Abraham Lincoln, delivered by him in Trenton.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ACKERMAN. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following speech before the Republican Club Lincoln dinner, Trenton, N. J., February 12, 1931:

THE INSPIRATION OF LINCOLN

On the morning of Good Friday, April 14, 1865, five days after Lee had surrendered at Appomattox, a Cabinet council was held in Washington. President Lincoln, at that meeting, told his colleagues that further good news must be on the way, for he had dreamed a dream which had come to him several times before areamed a dream which had come to him several times before and which had always been followed by news of a victory during the war. In the dream he said he seemed to be sailing in a ship of a peculiar build with great speed toward a dark and undefined shore.

That night Mr. and Mrs. Lincoln went to the theater. Shortly

after 10 o'clock a shot was heard and Abraham Lincoln fell forward upon the front of the box unconscious and dying. They carried the President to a little house near the theater and sumcarried the President to a little house hear the theater and summoned his sons and friends. He did not regain consciousness. His secretaries, who were present, record that a look of unspeakable peace come over his worn features. At 22 minutes past 7 on the morning of April 15 the President died. Secretary Stanton, who had kept sleepless vigil through the long night beside his chief, said, "Now he belongs to the ages." And thus the dream was realized and the great burden bearer passed to his eternal rest.

The story of Abraham Lincoln's humble birth and struggles amidst the crude conditions of frontier life has become the inspiration of aspiring manhood throughout the world. In this fateful hour when every society on earth confronts vast and challenging problems it is well for us to ask what we may learn from the mind and character and service of this great child of America that will serve as a light to guide us through the fogs of fear and failure which shadow every land.

The first outstanding fact in the life of Lincoln is this: He was the pioneer. In his history, his character, his experience, and his service he exemplified the spirit and method of the pioneer. His ancestral rootage was in old England, but the peculiar qualities of the pioneer character were developed in himself and in his The story of Abraham Lincoln's humble birth and struggles

of the pioneer character were developed in himself and in his immediate forebears in the crucible of the frontier.

The second outstanding quality of Lincoln's character was a profound faith in a divine Providence, whose long purposes of good outlived the vicissitudes of human experience and finally shaped to His own ends the actions and institutions of mankind everywhere.

During his first presidential candidacy Lincoln expressed this faith in a remarkable statement made in answer to criticism which

he received from a group of clergymen:
"I know that there is a God and that He hates injustice and I see the storm coming, and I know that His hand is in it. If He has a place and work for me, and I think He has, I believe I am ready. I am nothing, the truth is everything. I know I am right because I know that liberty is right, for Christ teaches it, and Christ is God. I have told them that a house divided against itself can not stand, and Christ and reason say the same, and they will find it so."

And in his second inaugural address he sets forth this belief in passage of incomparable beauty, which reads like the inspired

a passage of incomparable beauty, which reads like the inspired utterance of an ancient prophet:

"The Almighty has His own purposes. 'Woe unto the world because of offenses! For it must needs be that offenses come; but woe to that man by whom the offense cometh!' If we shall suppose that American slavery is one of those offenses, which, in the providence of God, must needs come but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope. therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away; yet, if God wills that it continue until all the wealth piled by the bondman's 250 years of unrequited toil shall be sunk and until every drop of blood drawn with the lash shall be paid with another drawn with the sword, as was said 3,000 years ago, so still it must be said, 'The judgments of the Lord are true and righteous altogether.'

"With malice toward none with charity for all with firmness."

"With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

A third fundamental in the thinking of Abraham Lincoln was his invincible belief that right and wrong can not permanently exist in amity side by side. In his great debate with Douglas he expressed this view in language which has become historic:

"A house divided against itself can not stand. I believe this Government can not endure permanently half slave and half free. I do not expect the Union to be dissolved; I do not expect the house to fall; but I do expect that it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it and place it where the public mind shall rest in the belief that it is in course of ultimate extinction, or its advocates will push it forward till it

shall become lawful alike in all the States. Old as well as new-North as well as South.

One other central idea in Lincoln's philosophy of life is of peculiar value to the world to-day. I refer to his theory of democracy, which he expressed as follows:

which he expressed as follows:

"As I would not be a slave, so I would not be a master. This expresses my idea of democracy. Whatever differs from this, to the extent of the difference, is no democracy."

He based his whole theory of government upon the doctrine of the essential equality of men; not a dead level of intellectual or economic equality, but the equality of spiritual dignity and worth, and the equality of opportunity for every man to realize to the

utmost all his powers.

When we apply these foundation principles of Lincoln's philosophy to the problems which we must solve, we find the real inspi-

ophy to the problems which we must solve, we find the real inspiration of Lincoln for our age.

It must be self-evident to every thoughtful mind that civilization has come to a distinct pause in its forward march throughout the world. We stand in the twilight zone between two ages in the history of the race, one dead, the other in the pangs of birth. The World War marked the break up of the old. The uncertainty, the pessimism, the baffling sense of failure everywhere evident reveals the necessity for a reconstruction of human institutions upon principles with which as yet we are unfamiliar. These conditions are common in differing degrees to every organized society in the world at the present time, and the central problem engaging the attention of every society in the world is identical for the first time in history. That problem is how to eliminate and finally abolish economic poverty for the masses of men. To the solution of that problem we must apply the foundation principles which animated the thinking and action of Abraham Lincoln.

We are facing absolutely new frontiers. Unless we have a revival of the pioneer spirit, adventurous, courageous, hopeful, these frontiers will mark the failure of the past rather than the glorious beginning of a new and better time for men everywhere. If the spirit of man is to support the vast and complicated relationships of the present and the future, it must find a new foundation in the spiritual realities which Lincoln expressed in his

invincible faith in a divine Providence.

If we are to go forward, as I believe we will do, we must have the moral vision and courage to determine what is right and therefore permanent in our social structure, what is wrong and therefore ephemeral, and resolutely establish the one and elimi-

And last, but by no means least, if democracy in any form is to become the recognized social philosophy of the world, it will have to be in essence the democracy of Lincoln. Its foundation will have to be in the nature of self-government which can only be possible in a society of sufficient intelligence and character to support, modify, and use the external machineries of its political and economic structure.

The choice of the future lies between dictatorship and democ-

The choice of the future lies between dictatorship and democracy; between authority clamped down from the top or authority originating in the mind and hearts of the masses of men.

We are fortunate that these tragic and challenging problems are being tested out on a gigantic scale in two of the greatest countries of the world—America and Russia. I believe that eventually the world will become all Russian or all American. These two theories of life are mutually destructive. They can not permanently exist side by side. They will, as they are now doing, modify each other profoundly, but in the end one or the other must become the chief instrument, either for the advancement of civilization through the golden age of complete freedom for all men, intellectual, spiritual, political, and economic, or for the complete enslavement of the world to the demonination of brute force.

In his immortal Gettysburg speech Abraham Lincoln plucked from the palsied hand of death the torch of progress and passed it

from the palsied hand of death the torch of progress and passed it on to become the permanent possession and inspiration of the living in generations yet to come. "It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced."

As we scan the long and tollsome journey which mankind has traveled out of the shadows of the distant past to this age of light and learning and liberty we must believe that the future beckons us to even nobler and greater achievements. This is the age of the great romance. The world has shrunken to a neighborhood and must eventually become one family in fact as for long it has been in theory. No longer can any people or society live or die been in theory. No longer can any people or society live or die unto itself. The tides of human failure, passion, progress, evil, and good beat untrammeled upon every shore. The test of any civilization is the quality of the manhood which it produces. And in turn the test of that manhood is the kind of social institution which it creates and perpetuates.

I believe that in this world age the race of man is being summoned, in the providence of God, to its greatest opportunity and its greatest achievement. As yet we are not equipped to meet the problems and bear the burdens of this golden age. Our intellectual and spiritual machinery is outworn; much of it has had its day and ceased to be. The time has come for a new vision of the meaning and purpose and dignity of life for the individual and for the societies which he has created.

I believe that in the deep foundations of thought and ideal which underlie the life and work of Abraham Lincoln we shall find real guidance and inspiration. There is no hope for a world with

out God. Man needs an eternity for the full fruition of those

qualities which he develops under the limitations of time. He needs to ally his relatively small purposes with the vast and timeless purposes of an overruling Providence.

As we face the undefined frontiers of the new age we must possess and be possessed by the dauntless adventurous spirit of the pioneer. We must, if we are to win our battle, as I believe we shall do, find a new standard of moral values so that we can determine both for the individual and for the group those objectives which are preparations of the properties of the properties of the standard of the group those objectives which are preparations of the group those objectives which are preparations of the group those objectives which are preparations of the properties of the new age we must be possessed by the dauntless adventurous and the properties of the new age we must be possessed by the dauntless adventurous spirit of the properties of the new age we must possessed by the dauntless adventurous spirit of the pioneer. determine both for the individual and for the group those objectives which are permanent and worthwhile as against those which contain within themselves the seeds of failure and disappointment. And whether we call the new form of society democracy or something else, in every land it must eventually give to the individual equal scope and opportunity for the development of all his powers; for the undisputed possession of his own rightful share of the product of his toil; and for his safe enjoyment of those eternal rights and the observance of those high duties which lend to the humblest citizen a dignity and glory beyond any material possession.

which lend to the humblest citizen a dignity and glory beyond any material possession.

In a word, these are days for fundamental thinking, for enlargement of all spiritual and intellectual horizons; for the warming and enriching of human sympathies and understanding: for cultivation of the ability to cooperate, and for a resolute and invincible faith that the world is moving toward the light and we, each one, are endowed with faculties which enable us to keep step with the general progress.

we, each one, are endowed with faculties which enable us to keep step with the general progress.

A great German philosopher once said that the world can not remember too often that a man named Socrates lived. To that I would add that America, first of all, and then every man in every land who is striving toward the light and the right, can not remember too often the fact that once there lived and served a man named Abraham Lincoln, and that he still lives and will continue to live until government of the people, for the people, and by the people has become the common possession of the

RELIEF OF CERTAIN TRIBES OF INDIANS IN MONTANA

The Clerk called the first bill on the Consent Calendar, S. 873, to supplement the act entitled "An act for the relief of certain nations or tribes of Indians in Montana, Idaho, and Washington," approved March 13, 1924.

Mr. CRAMTON. Mr. Speaker, reserving the right to ob-

ject, legislation was passed some years ago to permit these claims to go to the Court of Claims. One of the attorneys representing the Indians at that time, if I am correctly informed, was one A. A. Grorud. Because the case was allowed by him to drag along so they did not get into the Court of Claims within the time fixed by the statute. Since that time Mr. Grorud has been disbarred by the court of Montana and the Federal court, and is still, as I understand, disbarred. He does happen to be on the pay roll of Congress as an investigator notwithstanding this disbarment, but I do not believe we ought to take any chance of his further handling this claim.

I would want to suggest, therefore, certain amendments to the bill. One, to make sure that he should not be employed as attorney under approval by the department if this bill is passed; and, second, either to cut down the attorneys' fees from 10 per cent to 5 per cent or to strike out section 9.

Section 9 provides that the expenses incurred by the attorneys may be paid out of the funds of the Indians as the case goes along, which, of course, is a great convenience to the attorneys.

More than that, if the case goes against the Indians the Indians will have paid the expenses and are out. If the attorneys are to have that protection then I think the fees should be cut down from 10 per cent to 5.

Mr. LAGUARDIA. Does not the gentleman think, under the circumstances, the bill ought to go over without prejudice?

Mr. STAFFORD. In view of the fact that the former Commissioner of Indian Affairs did not recommend the wholesale opening of investigation of facts, but merely the fishing and hunting rights I think it should.

Mr. CRAMTON. I would not want to ask that.

Mr. LaGUARDIA. I will ask it. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks by including an amendment which I would have proposed.

The SPEAKER pro tempore. Is there objection? There was no objection.

The proposed amendment is as follows:

Provided, That no such contract of employment of attorney or attorneys shall be so approved except it carries a provision that Albert A. Grorud is not to be directly or indirectly connected with the conduct of the suit and that he shall not share in the fees paid attorneys for services in connection with said suit.

AMENDING SECTION 3 OF HOUSE JOINT RESOLUTION PROMOTING EFFICIENCY IN UTILIZATION OF RESOURCES OF THE UNITED

The Clerk read the title of the next resolution on the Consent Calendar, House Joint Resolution 392, to amend section 3 of the joint resolution entitled "Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, etc.," approved February 8, 1918.

Mr. DOUGLAS of Arizona, Mr. BLANTON, and Mr. La-GUARDIA objected.

AMENDMENT TO SECTION 24 OF THE IMMIGRATION ACT OF 1917

The Clerk read the title of the next bill on the Consent Calendar, H. R. 10881, to amend section 24 of the immigration act of 1917, as amended.

Mr. COLLINS, Mr. CRAMTON, and Mr. LAGUARDIA objected.

PROTEIN IN WHEAT

The Clerk read the title of the next bill on the Consent Calendar, S. 101, an act to provide for producers and others the benefit of official tests to determine protein in wheat for use in merchandising the same to the best advantage, and for acquiring and disseminating information relative to protein in wheat, and for other purposes.

Mr. DOUGLAS of Arizona, Mr. GREENWOOD, and Mr.

LAGUARDIA objected.

MEDALS OF HONOR AND AWARDS TO GOVERNMENT EMPLOYEES

The Clerk read the title of the next bill on the Consent Calendar, H. R. 12922, a bill providing for medals of honor and awards to Government employees for distinguished service in science or for voluntary risk of life and health beyond the ordinary risks of duty.

Mr. BLANTON. Reserving the right to object, I understand that if this bill is passed it will set a precedent whereby claims may be filed for several years back by employees of the Government, and there would be no end to the future claims of this kind. While the bill and report do not indicate it, I understand that to be the fact.

If an employee of the Government finds some means of bettering the manner of doing the work, it is only the duty he owes the Government to furnish the Government with it. Just as if a Member of Congress can find a better way to handle the public business, as did the gentleman from Massachusetts [Mr. Underhill]-something that will stop expense and taking the time of Congress on immaterial questions-then it is his duty to do it without extra compensa-

While I hate to oppose a bill that my good friend from New York seems to be very much interested in, I feel that the bill ought not to pass.

Mr. GRIFFIN. Will the gentleman yield? Mr. BLANTON. Yes.

Mr. GRIFFIN. I have not a particle of selfish interest in this bill. It has been practically framed by the Bureau of Research, composed of scientific men from scientific bodies of this Nation. Everywhere medals of honor are granted for bravery on the field, and medals are issued by private associations and industry for distinguished service in science. The employees of the Government have no recognition whatever. This bill is self-limiting. It provides for granting three medals of honor a year to the men who have rendered distinguished services in science—like those who devised the tide-calculating machine in the Coast and Geodetic Survey, which saves the Government \$150,000 a year; or Sergeant Nelson, of the Artillery, whose fire-control device saves the Government \$100,000 a year. There is no opportunity for recognition for these men unless some such bill as this is passed.

Mr. BLANTON. If it were simply a question of recognition for services by granting these medals there would hardly be any objection to it from anyone. The main thing they are after is not the medal; it is the extra \$1,000 that they are asking the Government to pay.

Mr. GRIFFIN. Oh. no.

Mr. BLANTON. And everyone who invents some little means of better doing the work for the Government will come in and want this \$1,000 and a medal.

Mr. CRAMTON. Of course, one purpose is to inspire them to render the service.

Mr. BLANTON. A sense of duty ought to inspire that. Mr. CRAMTON. However many may make claims, only three can be granted in one year.

Mr. PARKS. Mr. Speaker, I demand the regular order. The SPEAKER pro tempore. The regular order is de-

manded. Is there objection? Mr. BLANTON. Mr. Speaker, while it will not stop its

passage, I object.

The SPEAKER pro tempore. It takes three objections. Only one is heard. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to present, in the name of Congress, bronze medals of honor, with insignia, written testimonials, and honoraria (a) to scientific workers who, while in the employ of the Federal Government, have made outstanding contributions to the advancement of scientific knowledge or the application of its truths in a practical way for the welfare of the human race; (b) to citizens who, while in the employ of the Federal Government, have rendered conspicuous service to humanity at the voluntary risk of life or health over and above the ordinary risks of duty.

SEC. 2. The official designation of the medal of class (a) shall be the Thomas Jefferson medal of honor for distinguished work in

the Thomas Jefferson medal of honor for distinguished work in science. The official designation of the medal of class (b) shall be the Jesse W. Lazear medal of honor for distinguished self-sacrifice

for humanity

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word. Far be it from me to wish at this time to detract in any way from the memory of that great philosopher and publicist, Thomas Jefferson; but my reading of the history of Jefferson's life and achievements does not bring me to a recollection anywhere that he was identified with any scientific work. Outstanding in my recollection as the man of science in the early history of our Government is Benjamin Franklin. I think he stands out much more prominently as a man of science in the early history of our Government than does Thomas Jefferson. I ask the author of the bill or the chairman of the committee how it comes that the name of Thomas Jefferson should be associated with the medal of honor for distinguished work in science? Did the committee consider the propriety of using the name of Benjamin Franklin or some other outstanding scientist in connection with this medal? We might even go to the living, and consider the name of Thomas Edison. I yield to the gentleman from Massachusetts [Mr. Luce] to state the reason why the name of Thomas Jefferson is used in connection with a medal of honor for scientific achievement.

The SPEAKER pro tempore. The Chair thinks he was in error in recognizing the gentleman from Wisconsin when he did, because the bill has not yet been entirely read.

Mr. STAFFORD. O Mr. Speaker, some time ago I propounded an inquiry to the then occupant of the chair as to whether in the consideration of a bill on the Union Calendar the proper time for amending it was at the conclusion of the reading of the sections or at the conclusion of the reading of the bill. We are considering this bill in the House as in the Committee of the Whole House. The ruling was made by the then occupant of the chair that the proper time to offer an amendment was at the conclusion of the reading of the sections.

The SPEAKER pro tempore. The Chair will not undertake to decide that question at this time.

Mr. STAFFORD. That is why I proceeded.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin. Has the gentleman from Wisconsin offered an amendment?

Mr. STAFFORD. I made the pro forma amendment with | the idea of perhaps substituting the name of Benjamin Franklin for the name of Thomas Jefferson. I yield to the gentleman from Massachusetts.

Mr. LUCE. Mr. Speaker, undoubtedly the gentleman's familiarity with the life of Thomas Jefferson is greater than my own, but I have not been wholly without reading a good deal of the story of his life and of his writings. I think the gentleman is in error in not accepting Thomas Jefferson as a man distinguished in his interest in science. To the best of my recollection he took an interest in that subject all through his life, particularly in the matters relating to science connected with agriculture.

Mr. STAFFORD. I did not know that in those early days agriculture was recognized as a science.

Mr. LUCE. I suggest to the gentleman that before he commits himself positively on that he read all of the 25 volumes of the writings of George Washington that are about to be printed.

Mr. STAFFORD. I know that Thomas Jefferson did design his own home at Monticello; that he did have some acquaintance with architectural work; but I never knew that he was ever regarded as a scientist.

Mr. GREENWOOD. Mr. Speaker, will the gentleman vield?

Mr. STAFFORD. Yes.

Mr. GREENWOOD. I recall, in visiting Monticello, that there are several inventions in and about the place that were the work of Jefferson himself. I recall the clock that is over the front vestibule that shows the time on both sides. It is a really ingenious arrangement, and there are several mechanical devices.

Mr. STAFFORD. Will the gentleman from Massachusetts please explain how the name of Thomas Jefferson was selected, and also how the name of Jesse W. Lazear was

Mr. LUCE. My interest in this matter was so great, and my fear of my own judgment was so great, that I asked the National Research Council to take up the study of the bill. That council is a semiofficial organization, and the gentleman can easily find its name in the Congressional Directory. I asked it to carefully consider the matter and advise us in respect to it.

Mr. TEMPLE. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. TEMPLE. The gentleman asked about Jesse Lazear.

Mr. STAFFORD. Well, I know something about his work.

Mr. TEMPLE. He was one of the men who undertook a risk of life beyond ordinary duty and sacrificed his life in the investigation of the yellow fever.

Mr. STAFFORD. I am well aware of that.

Mr. TEMPLE. And the cure and prevention of yellow fever is due to his efforts.

Mr. STAFFORD. Anyone can pass encomiums upon either of these gentlemen.

Mr. TEMPLE. I would not have volunteered the information but the gentleman asked for it.

Mr. STAFFORD. I respectfully submit there are other men of outstanding work, especially connected with science, who could more appropriately have their names connected with these medals of honor, than Thomas Jefferson. I will not press the amendment Mr. Speaker.

Mr. GRIFFIN. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. GRIFFIN. The adoption of the name of Thomas Jefferson for the class of medals to be awarded for distinguished service in science was the idea of the late lamented Col. E. Lester Jones, who was the director of the Coast and Geodetic Survey for so many years. His heart was in his work, and I think he was particularly impressed with the grateful recollection that Thomas Jefferson was practically the founder of the Coast and Geodetic Survey, which is the oldest scientific organization of the United States Government. There was no need to add further to the laurels of Benjamin Franklin, since he is the accredited leader of scientific research in this country and his fame

is perpetuated by a medal of very high grade which is awarded by the Franklin Institute. In my speech in the House, which was printed in the RECORD of February 5. 1931—page 4066—I included an article by Colonel Jones on the achievements of Thomas Jefferson to which I respectfully refer.

The Jesse W. Lazear medal of honor was agreed upon by the National Research Council as a fitting tribute to that distinguished surgeon, who while in the United States Army of occupation in Cuba, sacrificed his life in his experiments to determine the origin and cure of yellow fever. He voluntarily allowed himself to be infected with the yellow-fever germ in order to observe the progress of the disease. His researches led to the segregation of the germ of that dread disease and was the foundation of effectual methods of prevention; diagnosis, and treatment. As the report on this bill truly states: "His name may well be the symbol of sacrifice on the altar of science."

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 3. That recommendations to the President of persons to be

SEC. 3. That recommendations to the President of persons to be considered for the honors contemplated in this act shall be made by the National Academy of Sciences, which shall consider and recommend on all cases certified to it as especially meritorious by heads of departments and independent offices of the Government. SEC. 4. That not more than three medals of each class shall be awarded in any one year, and that each person so honored shall receive the sum of \$1,000 on the presentation of the medal and testimonial, which said sum shall be in addition to his salary or pension. pension.

SEC. 5. That said medals and awards may be granted posthumously, provided the employee has died after the passage of this act. In that event the cash shall be paid to the widow or widower. In case no widow or widower survives, the award shall go to the child, or be divided among the children of said employees. If there survive no widow, widower, or children, the medal and award shall go to the father and mother of the employee or the award shall go to the father and mother of the employee or the awards. shall go to the father and mother of the employee or the survivor of them.

SEC. 6. There is hereby authorized an appropriation to the Smithsonian Institution of \$8,500 to defray the expenses of obtaining suitable designs for the medals and providing such medals, testimonials, and awards for the first year, and necessary expenses incidental thereto; and there is hereby authorized an annual appropriation for the purposes herein provided, not exceeding \$6,500. Sec. 7. This act shall take effect immediately.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ABRAHAM LINCOLN

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a very able and scholarly address delivered by our colleague, Mr. Johnston of Missouri, upon the occasion of the anniversary of the birth of Abraham Lincoln.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ZIHLMAN. Mr. Speaker, on the anniversary of the birth of the Great Emancipator, Abraham Lincoln, my friend and colleague, Hon. Rowland L. Johnston, from the great State of Missouri, delivered an address before the Young Men's Republican League, of Washington County, Md., on the life, achievements, and outstanding lessons of the great career of the martyred President.

Congressman Johnston's address made a profound impression upon the people of my State, and I desire, under the leave granted me to extend my remarks, to have same printed in the Congressional Record.

The speech is as follows:

Mr. Toastmaster, members of Young Republican League of Washington County, and assembled guests, my pleasure in being among you on this memorial occasion is sincere, and I am not unmindful of the honor conferred upon me by your committee on arrangements in according to me the esteemed privilege of addressing this splendid gathering whose countenances register

the true spirit of American patriotism.

Mr. Toastmaster, the subject of my remarks on this occasion has justly called forth the greatest eloquence of which the human voice is capable, a subject that, mindful of my own medicity, I approach with awe and timidity. If I make use of platitudes and the words and thoughts of others, I ask your

indulgence of the fault.

One hundred and twenty-two years ago to-day an infant boy first opened his eyes to the world in a rude cabin in the Ken-tucky hills, and from that moment the star of destiny in all its resplendent glory marked that child for its own. That child was Abraham Lincoln, destined to become the most colossal figure in Abraham Lincoln, destined to become the most colossal figure in enduring statesmanship the world has ever known. Did he advance by rapid strides to the dizzy heights of fame? Was he the favored son of fortune? Did circumstances or opportunity clear the barriers and obstructions from his path to success? No! Lincoln, more than any other successful statesman of the ages, past and present, was beset, engulfed, and entangled with difficulties, opposition, and failures that would have quenched the fires of ambition, smothered the hopes, and ended the career of any save a Lincoln. any save a Lincoln.

any save a Lincoln.

And here, if you will pardon the brief digression, I will voice a thought that has frequently come to me—that of the difference between the career of the statesman and that of success attained in any other calling or vocation. Statesmen, even the greatest, have rarely won the same recognition, the same permanency in the annals of history, as falls to the lot of the man of military fame, of art, of science, or literature. Alexander, Napoleon, Grant, Lee, Foch, all are remembered for their military achievements; Mozart, Verdi, Strauss, for their masterful achievements in the realm of music; the artist lives in his canvas, the scientist by his invention.

invention

Even our own Washington, whose name we revere, calls to mind his career from Valley Forge to the British surrender at Yorktown, statesman though he was. The commander of an army has it subjected to his will. His objective must be attained, though the death of thousands be the price. He knows that his country awaits to acclaim him the victor over its enemies. One campaign, one signal victory, and his fame is secure. The applause of an opera acclaiming its success, and its creator knows that he has won a coveted place in the world of music; and so it is with the great inventor, author, or poet. Their names adorn the hall of fame, often as the result of a single successful achievement. But fame, often as the result of a single successful achievement. But with the statesman how different! For him there is no such exact measure of greatness. He can not mold the minds of a heterogeneous people to think and reason his way and his alone. He must do all his work in a society of which a large part can not see his object and another large part, as far as they do see it, oppose it. Hence his work at best is often incomplete, and he has to be satisfied with the rough average in lieu of his ideal.

What I have just said is not altogether a digression. It may be used by way of illustration, for Lincoln, one of the few pre-eminent statesmen of all centuries, was no exception to the rule

eminent statesmen of all centuries, was no exception to the rule enunciated. From the time he entered the arena of public life to the early morning of his tragic death he met with misunderstanding and opposition. We will not dwell to-night upon his early manhood, his struggles with poverty, hardship, and toll, his lack of books with which to satisfy his insatiable appetite for reading, for all this is of universal knowledge.

Briefly, I will deal with his latter years. At the time of his first election to the Presidency in 1860 this Nation was even then on the threshold of armed rebellion. Proslavery and antislavery had long been widening the breach between North and South, involving the West and our Territorial possessions into the seething caldron of bitter dissension. The binding force of the Missouri compromise was challenged. Guerrilla warfare waged along the Missouri-Kansas border. The fugitive slave law was being violated with impunity. The administration of President Buchanan, weak and impotent, had lost the confidence of the people.

Just prior to the election the fanatic, John Brown, had made his raid upon Harpers Ferry in an attempt to incite a slave insur-rection, followed by his execution on December 2. And even while Lincoln was journeying from Springfield, Ill., to Washington to assume the Presidency Jefferson Davis was chosen as President of the Southern Confederacy at a convention held at Montgomery,

assume the Presidency Jenerson Davis was chosen as President of the Southern Confederacy at a convention held at Montgomery, Ala. And these were the conditions, and even worse, that Lincoln, of humble birth, meager learning, and untried in executive ability, was called upon to cope with to bring order out of chaos.

The Nation faced the greatest crisis in its history. Treason, sedition, betrayal, and desertion permeated every branch of the Government. The Union of States, one and indivisible, was tottering upon its base, and in the midst of this wild hysteria of contending factions, torn by fear, hate, and jealousies, there was one master mind that seized the helm of State saying, "This Union shall be preserved." It was the voice of Lincoln speaking those prophetic words. Undiscouraged, unperturbed, he viewed the situation as a game of chess. He knew his own weakness and he knew his own strength, and, likewise, he weighed the strength of the enemy against its weakness. Towering above all obstacles, his powerful intellect molded the thoughts of the Nation to his own indomitable will by the very simplicity of his judgment, a simplicity wherein lay its controlling force; this intellectual giant of statesmanship broke the will of objectors and dissenters and subjected it to his own. He heard within his soul the voice of the sheeted dead who died on the battlefields of the War for Independence, died that liberty might live. The blood of these heroic pendence, died that liberty might live. The blood of these heroic dead cried out for the preservation of the Union lest they had died in vain.

The shades of the signers of the Declaration of Independence held that sacred document before his steady gaze with the silent command, "To you, Lincoln, is intrusted the fulfillment of this solemn declaration of principles upon which the Union stands; its preservation inviolate is your responsibility."

In accepting that executive trust, that responsibility, the like of In accepting that executive trust, that responsibility, the like of which had never been thrust upon a potentate of ancient times or ruler of nations down to our present day, the acid test had come, and with it the revelation of Lincoln's supergreatness as the one man master of the arena wherein the contending forces of a mighty nation were the performers. The eyes of the world were upon him, both at home and abroad. England and France, with their pretended policy of neutrality, wondered and doubted if the Union could survive the strain and were ever ready to recognize a confederacy of Southern States, while Lincoln, disdaining a thought upon any subject save that of the Union preserved, threw that irresistible force of leadership into the gigantic task before him, resolved that not a star should be dimmed in task before him, resolved that not a star should be dimmed in the silken folds of Old Glory; that it should ever wave o'er the land of the free and the brave, its stars as resplendent as those of the heavenly dome, burning like beacons of hope, guiding the oppressed to the light of liberty and freedom.

oppressed to the light of liberty and freedom.

Wherein lies Lincoln's greatness? As a man, the beautiful simplicity of his nature, his love of truth, of righteousness. He delved deep into the souls of his fellow beings and from that vantage ground he learned to know and understand mankind; he sympathized with its weakness, forgave its faults, and was ever ready to succor its distress. As a statesman—why dwell upon it? It is testified to in the most enduring pages of the world's history. His unrivaled achievements and accomplishments are an answer to the question. His morel convictions as a ruler of man man. to the question. His moral convictions as a ruler of men may be summed up in that phrase which was so often on his lips: "If this must be done, I must do it."

What a clear, understandable distinction he could draw between right and wrong! He denounced the Rebellion as a grievous wrong and denied the right of the Southern States to secede, and yet and denied the right of the Southern States to secede, and yet upheld the right of the Colonies to rebel against the British Government. Here is his distinction, and I will try to quote his own words: "Anyone may have a moral right to secede from any State for the purpose of securing some moral end, such as personal liberty, which is incompatible with citizenship of that State." Our Colonies were fortified with this moral right to confederate together against a common wrong, while, on the other hand, the Southern States rebelled against the Union of States in an effort to perpetuate a moral wrong.

to perpetuate a moral wrong.

Lincoln recognized the rights of property in the slaveholder, at the same time condemning the principle. Again and again he recommended gradual emancipation by purchase as a policy of economy. He weighed the terrible cost of war in human lives, economy. He weighed the terrible cost of war in human lives, money, and property damage as against the comparative small cost of purchase of the slaves from their owners. Why, to think, the aftercost of the Civil War in pensions alone would have purchased thrice over every slave that had ever lived within our borders! Had this policy been adopted, the strife would have ceased, bitterness would have turned to praise, the Union would have risen proudly from the conflict, the flag would have waved over a united people, loved and revered by all. But no; the slaveholder rejected it; the radical abolitionist of the North rejected it. Lincoln loved the South as an integral part of the Union; he loved its people, and they ever had his heartfelt sympathy in their dark hours of distress. While others saw only the panorama of battle and the immediate present, he visioned the future, bringing with it the inevitable days of reconstruction which he knew were bound it the inevitable days of reconstruction which he knew were bound to come. Many there were of northern radicals who, while wildly clamoring that Jefferson Davis be hung as a traitor, were ready to treat with him as the accredited representative of the rebellious States. Lincoln, on the other hand, would not have harmed a hair of his head, though he would have died before he would have recognized him as the head of a confederacy of States which still were of the Union, and where he was determined they should ever remain.

I have touched briefly and hurriedly upon his achievements, his powers as a leader of men, his force in shaping the destinies of a great nation, marking him as a statesman, the greatest among the great. Now, let us turn to the human of him, the soul and heart of him.

Why is it that no other name in the long roll of distinguished statesmen stirs the heart of a nation so deeply as does that of Abraham Lincoln? It is not enough to say that he was a wise and patriotic President, who died a martyr to a great cause. We have had other wise and patriotic Presidents. The memory of Washington we revere; Jefferson, we admire; Lincoln, we love. His memory is enshrined in the heart of the Nation and there His memory is enshrined in the heart of the Nation and there is none so close as he to the source of tears and emotion. This can not be explained by the fact that he rose by manly effort from the humblest ranks of backwoods life to the highest position in the gift of a people. It can not be accounted for by the fact that he was a noble embodiment of that splendid spirit of self-reliance that is bred of generations of lonely struggle in the shadow of the forest primeval.

These things are a part of the reason for the esteem in which we hold Lincoln, as is his inexhaustible humor, his intense earnestness, his tireless industry, his honesty and fairness, his courage, and steadfastness of purpose. His homely and unaffected age, and steadiastness of purpose. His nomely and triantected words and ways had something to do with his popularity and so had his sturdy common sense. But not all these commendable traits could make a Lincoln without something additional; nor is the secret revealed by naming what is usually regarded as the crowning trait of his magnificent character—the fact that he always sought the right as God gave him to see the right. This will explain much, but it will never explain the flood of tender emotion that wells up from the human heart at mention of his | incomparable name.

Toastmaster and friends, I believe that the true secret of our love for Lincoln was his own love for his fellow men. In his giant, ungainly form there was a heart of infinite human sympathy, and this, above all other of his noble traits, created the imperishable halo that lingers around the memory of this man of sorrow, as he is often called, a sorrow that he felt for the distress of others.

It was this same deep, human sympathy that enabled him to hold that marvelous balance of judgment which could put the Union above all else and could hold back emancipation until the right time had come. He could put himself in the place of the citizen of the border States and feel that any radical move would impede the preservation of the Union itself. This note of human

impede the preservation of the Union itself. This note of human sympathy sounded forth in his first inaugural address; it ran through his relations with the soldiers of the Union Army and animated his last acts as it did his first.

My friends, the fast-falling shadows of the past leave few names of men not enshrouded by their gloom. Many of the heroes of to-day will be lost to sight in the dimness of the approaching twilight. To-morrow's sun will lighten up new shrines surrounded by tireless hosts of hero worshipers. But the lustrous diadem of immortal glory, crowning the brow of the great emancipator, the great reconciler, the great humanitarian, will never lose a ray of its eternal light. At mention of his name the human breast will thrill until nature's clock shall have ceased to beat upon the shores of time. The star of hope ever beamed within the heart of of time. The star of hope ever beamed within the heart of Lincoln. It ruled his life and consecrated his deeds. Others

Lincoln. It ruled his life and consecrated his deeds. Others turned their backs and bowed their heads in despair and trembled in fear for the Union's future. He, through densest darkness, saw with prescient light and gaze the glory of the coming dawn.

Mr. Toastmaster, our love and admiration for Lincoln, our reverence for his name and memory, is now universal. The doctrines and principles for which he lived and died have journeyed far from the homeland into foreign lands 'neath alien skies, carrying their message of hope and courage into the humblest walks of life. They guide and mold the thoughts and actions of the rying their message of hope and courage into the humblest walks of life. They guide and mold the thoughts and actions of the nations of the earth that search for the true spirit of justice and righteousness in government. But, alas! this was not always so. The tongues of calumny and falsehood were not silenced by his untimely death, and the fangs of venom continued to strike. But now all this bitterness, all vile slander lies buried in the deep shadows of the past and time has placed upon that unhallowed ground the seal of forgetfulness, while the name of Lincoln, in all its transcendent glory, like the Phoenix bird of ancient mythology, has risen from the dead ashes of the past and reigns supreme in the hearts of a grateful Nation. From the land of Dixie, where the Swanee River flows, the southern breezes sing his praise. Among palmetto groves from base of southern mountains to lofty summit heights ring the glad echoes of his name—a name now summit heights ring the glad echoes of his name—a name now enshrined in the hearts of all, both North and South, both East

Through all the vanishing after years the name of Abraham Lincoln shall endure, defying ages yet to come to dim its luster, and as the cycles of time move on his memory shall ever remain as the greatest heritage left to humanity by mortal man, and when we think of all that he was to his country and of all that he is to us to-day, truly we can say, "O Death, where is thy sting? O Grave, where is thy victory?" How fitting seems this close upon his life:

> "In the beauty of the lilies Christ was born across the sea, With a glory in his bosom a That transfigures you and me; As He died to make men holy, Let us die to make men free."

MARINE BAND ATTENDANCE AT YORKTOWN, VA.

The Clerk called the next bill on the Consent Calendar, H. R. 15622, to authorize the attendance of the Marine Band at the sesquicentennial celebration, to be held at Yorktown, Va., in October, 1931.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

CONSTRUCTION OF DAM ACROSS THE OWYHEE RIVER

The Clerk called the next bill on the Consent Calendar, H. R. 16302, to authorize an investigation with respect to the construction of a dam across the Owyhee River within the Duck Valley Indian Reservation, Nev., and for other purposes.

Mr. COLLINS. Mr. Speaker, reserving the right to object, this is not some power scheme, is it?

Mr. ARENTZ. No; there is no power involved here at all. This is merely for an examination or for the completion of an investigation of a dam site, and is not for the construction of a dam.

Mr. COLLINS. Is this for the benefit of the Indians? Mr. ARENTZ. Only for the benefit of the Indians. It is

not have. It is to protect them from the encroachments of the whites. That is what the bill is for.

There being no objection, the Clerk read the bill, as fol-

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000, or so much thereof as may be necessary, to enable the Secretary of the Interior to make further surveys, investigations, and completion of inspection of foundation of Reed Creek Reservoir site for purpose of constructing a dam across Owyhee River, to be located within the Duck Valley Indian Reservation. Nev.

Mr. ARENTZ. Mr. Speaker, I offer four amendments, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment by Mr. ARENTZ: Page 1, line 5, strike out "\$10,000" and insert in lieu thereof "\$15,000."

Mr. UNDERHILL. Will the gentleman from Nevada explain the necessity for this amendment?

Mr. STAFFORD. Mr. Speaker, it is generally accepted that when a bill is up for consideration and there is no objection, the bill is acceptable to the mover of the bill, and the bill goes through as is. The gentleman is now increasing the authorization 50 per cent. What is the occasion for this increase?

Mr. ARENTZ. I want to say to the gentleman that when the report came down to me and the form of the bill was presented to me, \$15,000 was recommended by the Secretary of the Interior and the Commissioner of Indian Affairs. I thought \$10,000 was enough, and I told them so. I said that all I wanted was an investigation of this dam site and a few borings made. The Secretary came back with his report, which I have here, and said that \$10,000 is not enough and that it will take \$15,000 to do the work we want because we want not only to examine Red Creek but two other creeks.

Mr. STAFFORD. Mr. Speaker, that is sufficient information, and I withdraw my opposition.

The amendment was agreed to.

The Clerk read as follows:

In lines 7 and 8, change the word "foundation" to founda-tions," and insert immediately thereafter in line 8 the following words: "And preparation of plans and specifications."

The amendment was agreed to. The Clerk read as follows:

In line 8, after the word "Creek," insert the words "and other"; also, in line 8, change the word "site" to "sites."

The amendment was agreed to. The Clerk read as follows:

In line 9, after the word "dam," insert the words "or dams"; also, in line 9, after the word "River," insert the words "or other streams"; also, in line 9, after the word "within," insert the words "or adjacent to."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the title be amended to conform with the amendments just adopted.

The SPEAKER. Without objection, it is so ordered.

ATTENDANCE OF THE MARINE BAND AT THE SESQUICENTENNIAL CELEBRATION, YORKTOWN, VA.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to return to Calendar No. 961, the bill (H. R. 15622) to authorize the attendance of the Marine Band at the sesquicentennial celebration to be held at Yorktown, Va., in October, 1931, which I objected to.

I understand an amendment will be offered which will clarify the language of the bill and prove satisfactory to everyone concerned.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the title of the bill.

Mr. JENKINS. Mr. Speaker, reserving the right to obto give something to the Indians that they otherwise would | ject, I would like to know what is the proposed amendment.

Mr. SCHAFER of Wisconsin. The amendment will be to strike out the proviso commencing on page 2, line 3, and insert the words "and subsistence," after the word "expenses" in line 9, on page 1.

Mr. JENKINS. That does the same thing that my proposed amendment would have done and I therefore with-

draw any objection.

There being no objection, the Clerk read the bill, as fol-

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the celebration to be held at Yorktown, Va., in the month of October, 1931, to commemorate the surrender of Lord Cornwallis and the establishment of American independence.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such celebration there is authorized to be appropriated the sum of \$3,012, or so much thereof as may be necessary, to carry out the provisions of this act: Provided, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Mr. SCHAFFER of Wisconsin Mr. Speaker I offer the

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer the following amendments:

The Clerk read as follows:

Amendments by Mr. Schafer of Wisconsin: Page 1, line 9, after the word "expense," insert the words "and subsistence." In line 3, page 2, strike out the semicolon, insert a period, and strike out the remainder of the bill.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PAY AND ALLOWANCES FOR OFFICERS AND MEN ON VESSELS OF THE DEPARTMENT OF COMMERCE

The Clerk read the title of the next bill on the Consent Calendar, H. R. 16696, to authorize the Secretary of Commerce to continue the system of pay and allowances, etc., for officers and men on vessels of the Department of Commerce in operation as of July 1, 1929.

Mr. GREENWOOD. Reserving the right to object, I want to inquire if this is to continue the method of paying the employees of the Commerce Department as it is now being carried on in order to set aside a ruling of the Comptroller General?

Mr. MERRITT. It is.

Mr. GREENWOOD. I want to ask the gentleman whether it would be cheaper to continue the present method for the Federal Government or whether it would be less expensive to come under the classification as the Comptroller General rules?

Mr. MERRITT. The ruling of the Comptroller General would require a classification and it would cost the Government \$67,000. The present method has been in use for a long time and since the classification bill was passed. The comptroller last September changed his previous ruling, but, as I say, it will increase the cost to the Government by \$67,000 and be of no benefit to the men, who do not want it.

Mr. GREENWOOD. The officers and men of the Coast and Geodetic Survey and the Lighthouse Department believe it will be just as serviceable to the Government and less expensive.

Mr. MERRITT. Yes. I ask unanimous consent to substitute the bill S. 5962 for the House bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is authorized, in his discretion, to continue the system of pay and allowances, including allowances for longevity, for officers and men on vessels of the Department of Commerce, that was in operation vessels of July 1, 1929, until such time as legislation shall be enacted pursuant to section 2 of the act approved May 28, 1928 (45 Stat. 785), or similar legislation affecting the classification of vessel employees in the field service of the Government.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table. A similar House bill was laid on the table.

BRIDGE ACROSS THE STAUNTON RIVER AT BROOKNEAL, VA.

The Clerk read the title of the next bill on the Consent Calendar, S. 5114, an act to legalize bridges across the Staunton River at Brookneal, route No. 18, Campbell County, and at Clover, Halifax County, route No. 12, State of Virginia.

Mr. UNDERHILL. Mr. Speaker, I notice that there are a whole page of bills reported from the Committee on Interstate and Foreign Commerce with reference to bridge bills, to which there is very seldom any objection. I was wondering if we could not consider them en bloc.

Mr. LAGUARDIA. No; we can not do that; we have tried it and it is not a success.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the highway bridges built by the authorities of the State of Virginia across the Staunton River at Brookneal, on Route No. 18, Campbell County, and at Clover, Halifax County, on Route No. 12, are hereby legalized and the consent of Congress is hereby given to their maintenance by the said State for the use of the general public: Provided, That any changes in said bridges which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the said State.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS CHESAPEAKE BAY

The Clerk called the next bill, S. 5255, to extend the time for the construction of a bridge across the Chesapeake

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and com-Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved February 15, 1927, and by act of Congress approved April 10, 1928, to be built by the Chesapeake Bay Bridge Co., a corporation, across the Chesapeake Bay heretofore extended by acts of Congress approved April 10, 1928, and June 21, 1929, are hereby further extended one and three years, respectively, from the data of approval hereof

the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS PIGEON RIVER, MINN.

The Clerk called the next bill, S. 5392, to legalize a bridge across the Pigeon River at or near Mineral Center, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the bridge heretofore constructed by the State of Minnesota, across the Pigeon River at or near Mineral Center, Minn., and located on Trunk Highway No. 1, connecting the State of Minnesota and the Province of Ontario, Canada, shall the State of Minnesota and the Province of Ontario, Canada, shall be a lawful structure and shall be subject to the conditions and limitations of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, other than those requiring approval of plans by the Secretary of War and Chief of Engineers before the bridge is commenced.

SEC. 2. The right to alter, amend, or repeal this act is hereby approved.

expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER, BROWNVILLE, NEBR.

The Clerk called the next bill, S. 5473, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebr.

Mr. LAGUARDIA. I object.

BRIDGE ACROSS MISSOURI RIVER, DECATUR, NEBR.

The Clerk called the next bill, H. R. 16154, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Decatur, Nebr. Mr. LAGUARDIA. I object,

BRIDGE ACROSS RED RIVER OF THE NORTH

The Clerk called the next bill, H. R. 16334, to extend the times for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, across the Red River of the North on the boundary line between said States.

The SPEAKER pro tempore. Is there objection?

Mr. HOWARD. Mr. Speaker, I rise to make a statement. The SPEAKER pro tempore. The Chair does not recognize gentlemen to make statements. The gentleman from Nebraska can object or reserve the right to object.

Mr. HOWARD. I am not fully acquainted with peremptory language, but I desire to make a reservation.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. HOWARD. Mr. Speaker, I want to help conduct the legislation here in an orderly manner, if I can. I recognize the right of every gentleman to lodge objection, but if it is to be the practice to object to one of these bills for an extension of time, why not all of them? It does not seem fair otherwise. I want to protect the interests of my own people, but I do not want to injure the interests of any other people. It does seem to me cruel that a little extension bill of mine should be objected to, while the one right next to it should not be objected to.

Mr. LaGUARDIA. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. Yes.

Mr. LaGUARDIA. I think the gentleman is entitled to an answer to that. The answer is very simple. These matters are submitted to the Bureau of Public Roads, and they look into the facts and make recommendation. I assume the gentleman is referring to H. R. 16154. That bureau recommends as follows:

When the original bill to authorize construction of this bridge was pending in Congress adverse report thereon was submitted by this department. It still is the view of the department a private toll bridge should not be constructed at this point. It therefore recommends against further extending the time, as proposed in the bill.

Many of the bills not objected to are permits given to States or political subdivisions of States to construct and operate bridges. Some private toll bridge bills get by by being passed first in the Senate and then coming over here and being called up as a privileged matter. In that case I can not object. The next time the gentleman's bill is called it will require three objections. I am not going to put myself up against the House, and I would not if I could; but I can at least attempt to break down this monopoly in toll bridges by following the recommendation of the Bureau of Public Roads. The gentleman knows that I would not arbitrarily or without reason object to any matter in which he is interested.

Mr. HOWARD. I know the gentleman is always very sweet in his treatment of me. I merely want to know whether he is going to deal with all others with like sweetness.

Mr. LAGUARDIA. I am.

Mr. HOWARD. Very well.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

That the act approved July 1, 1922, granting the consent of Congress to the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, to construct, maintain, and operate a bridge and approaches thereto across the Red River of the North, at or near the section line between sections 24 and 25, township at 5 north, range 49 west, fifth principal meridian, on the boundary line between Minnesota and North Dakota, be, and the same is hereby, revived and reenacted.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendment was agreed to, and the bill. as amended, was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

The title was amended to read: "An act to revive and reenact the act entitled 'An act granting the consent of Congress to the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, to construct a bridge across the Red River of the North, on the boundary line between said States,' approved July 1, 1922."

BRIDGE ACROSS BLACK RIVER, POCAHONTAS, ARK.

The Clerk called the next bill, H. R. 16337, to extend the times for commencing and completing the construction of a bridge across Black River, at or near Pocahontas, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Black River at or near Pocahontas, Ark., authorized to be built by the Arkansas State Highway Commission, by act of Congress approved April 12, 1930, are hereby extended one and three years, respectively.

SEC. 2. The right to alter, amend, or repeal this act is hereby

expressly reserved.

With the following committee amendment:

Line 8, after the word "respectively," insert "from April 12. 1931.

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, BATON ROUGE, LA.

The Clerk called the next bill, H. R. 16246, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Baton Rouge, La.

Mr. LaGUARDIA. Mr. Speaker, I object.

BRIDGE ACROSS MISSOURI RIVER AT NIOBRARA, NEBR.

The Clerk called the next bill on the Consent Calendar, H. R. 16254, to extend the times for commencing and completing the construction of a bridge across the Missouri-River at or near Niobrara, Nebr.

Mr. LAGUARDIA. I object.

RIDGE ACROSS OHIO RIVER AT THE LICKING RIVER

The Clerk called the next bill on the Consent Calendar. H. R. 16416, authorizing the Dixie Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River and the Licking River at or near the junction of the Ohio and Licking Rivers to connect Cincinnati, Ohio, with Covington, Ky., and Newport, Ky.

Mr. LAGUARDIA. I object. Mr. THATCHER. Will the gentleman reserve his objection?

Mr. LaGUARDIA. I reserve it.
Mr. THATCHER. The author of the bill is absent to-day on account of illness. I am wondering if the gentleman from New York is unyielding and obdurate in his objection?

Mr. LAGUARDIA. If the gentleman will convince the Bureau of Public Roads that the bill should be passed, I will withdraw my objection.

Mr. THATCHER. They object to any bridge that is not a municipally owned or toll-free bridge. They do that on general principles, but the House does not respect the judgment of the Bureau of Public Roads on that question.

Mr. LaGUARDIA. I am one Member of the House who

Mr. THATCHER. If the gentleman is obdurate, of course that is his privilege.

Mr. LaGUARDIA. I object, Mr. Speaker.

BRIDGE ACROSS THE ST. FRANCIS RIVER AT MADISON, ARK.

The Clerk called the next bill on the Consent Calendar, H. R. 16419, granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and | operate a free highway bridge across the St. Francis River at or near Madison, Ark., on State Highway No. 70.

There being no objection, the Clerk read the bill as

Be it enacted, etc., That the consent of Congress is hereby granted to the Arkansas State Highway Commission and their successors and assigns to construct, maintain, and operate a free highway bridge and approaches thereto across the St. Francis River, at a point suitable to the interests of navigation, at or near Madison, Ark., on State Highway No. 70, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS ST. CLAIR RIVER AT PORT HURON, MICH.

The Clerk called the next bill on the Consent Calendar, H. R. 16471, to extend the times for commencing and completing the construction of a bridge across the St. Clair River at or near Port Huron, Mich.

There being no objection, the Clerk read the bill, as

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the St. Clair River at or near Port Huron, Mich., authorized to be built by the Great Lakes Bridge Commission by an act of Congress approved June 25, 1930, are hereby extended one and three years, respectively, from June 25, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 8, strike out the figures "1930" and insert "1931."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

QUAY IN MILBURN CREEK, BALDWIN HARBOR, N. Y.

The Clerk called the next bill on the Consent Calendar, H. R. 16632, to legalize a quay in Milburn Creek at Baldwin Harbor, N. Y.

There being no objection, the Clerk read the bill, as

Be it enacted, etc., That the quay owned by Daniel S. Quigley, located in Milburn Creek at Baldwin Harbor, Nassau County, N. Y., be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulaand with like effect as to all existing or future laws and regulations of the United States as if the permit required by the existing laws of the United States in such cases made and provided had been regularly obtained prior to the erection of said quay: Provided, That any changes in said quay which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owner thereof.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MODIFICATION OF BOUNDARY LINE, PANAMA CANAL ZONE

The Clerk called the next bill on the Consent Calendar. H. R. 15608, to authorize the modification of the boundary line between the Panama Canal Zone and the Republic of Panama, and for other purposes.

Mr. COLLINS. Reserving the right to object, has the gentleman inquired into the cost of the land that is in controversy here?

Mr. TEMPLE. There is no cost at all. It is a mere transfer of land that belongs to the United States Government and is now under control of the War Department. It is adjacent to the city of Panama, and, of course, a legation building for the American minister to Panama can not be built outside the Republic of Panama. In order to get a site in Panama free of cost the proposal is to change the | I certainly do not.

boundary of Panama so as to throw a few acres of American ground into the Republic of Panama and construct on it our legation building. It will cost nothing but the bookkeeping between the War Department and the State Department; that is, nothing at all.

Mr. COLLINS. The statement that I have before me states it is a modification of a boundary line between the Panama Canal and the Republic of Panama.

Mr. TEMPLE. That is correct.
Mr. COLLINS. And deals with a parcel of land, and I want to find out about the cost, if there is any cost.

Mr. TEMPLE. There is no cost. It is a point of land adjacent to the city of Panama and is quite suitable for a legation building. When we transfer the land and put it inside the Republic of Panama we retain all rights of private ownership and the right to build military roads and all that. The War Department is thoroughly satisfied and the State Department will be grateful if there is no objection.

Mr. THATCHER. This is a very beautiful location.

There being no objection, the Clerk read the bill, as fol-

Be it enacted, etc., That with respect to that parcel of land in the Panama Canal Zone known as the Paitilla Point Military Reservation, title to which was acquired by the Government of the United States under the conventions concluded on November 18, 1903, and September 2, 1914, between the United States and Panama, the Secretary of State be, and he is hereby, authorized and empowered to effect with the Republic of Panama a modification of the boundary line between the Panama Canal Zone and the Panamic Canal Zone and the Republic of Panama so that such line shall then run as follows:

follows:

Beginning at a concrete monument marked "E," which is a point on the line on the north boundary of the Paitilla Point Military Reservation as shown on Panama Canal Drawing No. X-6053-1, whose geodetic coordinates are latitude 8° 58' plus 4,445.06 feet and longitude 79° 31' plus 923.50 feet, and following along a course of south 33° east for 790 feet to a concrete monument marked "F"; thence along a course of south 21° 45' east for a distance of 490 feet to a concrete monument marked "G"; thence along a course of south 52° west for 870 feet to a concrete monument distance of 490 feet to a concrete monument marked "G"; thence along a course of south 52° west for 870 feet to a concrete monument marked "H"; thence along a course of south 76° 30' west for 780 feet more or less to a point marked "I" on the map, which is an imaginary point located on the center line of the Matasnillo River, which forms the west boundary of the military reservation. All bearings are true. All coordinates are referred to the Panama Color Deturns Colon Datum.

SEC. 2. Nothing contained in this act shall be construed to authorsec. 2. Nothing contained in this act shall be construct to activitie the Secretary of State to convey or to surrender to the Government of Panama the title which the Government of the United States now holds in that parcel of land which may be detached from the Panama Canal Zone by virtue of the provisions of section 1 of this act.

SEC. 3. No civil or criminal case that may be pending in the courts of the Panama Canal Zone at the time this act shall become effective shall be affected thereby, either as to its present status or as to future proceedings, including final judgment or disposition.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

TO AMEND THE NATIONAL PROHIBITION ACT

The Clerk called the next bill on the Consent Calendar, H. R. 11199, to amend sections 22 and 39, Title II, of the national prohibition act.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, I would like the proponent of this bill, or a member of the Committee on the Judiciary, preferably an antiprohibition member, to explain briefly the necessity for the enactment of the pending bill.

Mr. CHRISTOPHERSON. This is merely a matter of the correction of the procedure allowing service by publication in these cases just the same as in other civil matters.

Mr. SCHAFER of Wisconsin. Will its enactment make it easier to create injustices in padlock proceedings?

Mr. CHRISTOPHERSON. It will create no injustice whatever.

Mr. WILLIAMSON. I understood the gentleman from Wisconsin [Mr. Schafer] to say he wanted an explanation from an antiprohibition member. Does the gentleman come within that category?

Mr. CHRISTOPHERSON. I did not hear that statement.

Mr. SCHAFER of Wisconsin. In view of the statement of the antiprohibition member of the Committee on the Judiciary, I do not object.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 22, Title II, of the national prohibition act (sec. 34, title 27, U. S. C., sec. 22, Title II, ch. 85, pt. 1, vol. 41, U. S. Stat. L.) be, and the same is hereby, amended by the following:

adding the following:

"If in any proceeding under this section it is made to appear to the court that any person or persons unknown have or claim an interest in such room, house, building, structure, boat, vehicle, or place, or some part thereof, which would be affected by the order prayed for, it may order that such person or persons unknown be made parties by designating them as unknown owners of or claimants of some interest in the property described, and such person or persons, and any defendant or defendants who are absent from the jurisdiction, or whom, whether within or without the jurisdiction, it is impracticable to serve otherwise, or who are shown to the satisfaction of the court to be concealing themselves shown to the satisfaction of the court to be concealing themselves for the purpose of evading service of process or any order of the court, may be served in accordance with the provisions of section 57 of the Judicial Code (U. S. C., title 28, sec. 118)."

SEC. 2. That section 39, Title II, of the national prohibition act

(U. S. C., title 27, sec. 62) be, and the same is hereby, amended

(U. S. C., title 27, sec. 62) be, and the same is hereby, amended to read as follows:

"SEC. 39. In all cases wherein the property of any citizen is proceeded against or wherein a judgment affecting it might be rendered, and the citizen is not the one who in person violated the provisions of the law, summons must be issued in due form and served personally, if said person is to be found within the jurisdiction of the court, or there must be substituted service as provided in section 22 of this title (U. S. C., title 27, sec. 34) as amended by this act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ADDITIONAL JUDGE OF DISTRICT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT OF NEW YORK

The Clerk called the next bill on the Consent Calendar. H. R. 12059, to provide for the appointment of an additional judge of the District Court of the United States for the Eastern District of New York.

Mr. BOYLAN, Mr. COLLINS, and Mr. GREENWOOD objected.

APPOINTMENT OF TWO ADDITIONAL DISTRICT JUDGES FOR THE SOUTHERN DISTRICT OF NEW YORK

The Clerk called the next bill on the Consent Calendar, H. R. 12032, to provide for the appointment of two additional district judges for the southern district of New York. Mr. BOYLAN, Mr. COLLINS, and Mr. GREENWOOD

TO MAKE PERMANENT CERTAIN TEMPORARY JUDGESHIPS

The Clerk called the next bill on the Consent Calendar. H. R. 14055, to make permanent certain temporary judge-

Mr. BOYLAN. I object.

TO AMEND SECTION 284 OF THE JUDICIAL CODE

The Clerk called the next bill on the Consent Calendar, S. 4425, to amend section 284 of the Judicial Code of the United States.

Mr. BOYLAN, I object.

ORGANIZATION OF AGRICULTURAL CREDIT CORPORATIONS

The Clerk called the next bill, S. 5441, to assist in the organization of agricultural credit corporations.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, this bill sets aside \$5,000,000 of the \$45,000,000 appropriated by Public Resolution 115, approved January 15, 1931. I do not exactly understand the operation of it. If the \$45,000,000 was for the relief of farmers in the droughtstricken areas, then why does the gentleman want to take \$5,000,000 from that and make loans through intermediate credit banks?

Mr. HAUGEN. No money will be available under the \$45,000,000 to take care of livestock, milk cows, and other matters outside of the seed.

Mr. JENKINS. Under this bill, will it be permissible to use the \$5,000,000 for dairymen, use it to buy feed for their cattle?

Mr. HAUGEN. They will subscribe to the stock, and then they will make loans through the intermediate credit banks.

Mr. JENKINS. Here is my interest in this thing: My district, in southern Ohio, was badly stricken by this drought condition, and the \$45,000,000 bill which we passed did not bring our people the relief that was expected, because it contained no provision whereby they could buy feed for milk cows.

Mr. HAUGEN. This will take care of that very thing, and that is the purpose of the bill.

Mr. JENKINS. I am glad to receive that information, because that would be a very fine amendment.

Mr. STAFFORD. I do not recall exactly the phraseology of the extended provision for farm relief passed last week whereby we provided additional authority and loans to credit associations. As I understand this bill, it is to provide similar relief. Wherein is it necessary, in view of the Senate amendment that was agreed to by the House conferees on the Interior Department appropriation bill? In that amendment there was a specific provision granting additional authority to credit associations. In Arkansas and other States, in order to provide for rehabilitation, it was necessary to provide financing. The Senate amendment made provision for that very condition. This bill was reported before that agreement was had, and I am wondering whether you are not duplicating the authority as carried in the Senate amendment to the Interior Department appropriation bill which is now law?

Mr. HAUGEN. This is simply to permit various localities to provide for their local banks and that they may apply to the intermediate credit banks.

Mr. STAFFORD. As I recall, that was the purpose of the Senate amendment. Is the gentleman acquainted with the Senate amendment that was agreed to?

Mr. HAUGEN. No; I am not.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

OIL-SHALE LANDS

The Clerk called the next bill, H. R. 15002, concerning oil-shale lands.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. COLTON. Will the gentleman withhold that request? Mr. STAFFORD. Yes.

Mr. COLTON. Since the printing of the report the Secretary of the Interior has transmitted to the chairman of the committee a letter indorsing this legislation, and I think if permission were given to read this letter it would probably remove the gentleman's objection.

Mr. STAFFORD. I have read the letter of the Secretary of the Interior under date of November 6, 1930.

Mr. COLTON. In that letter the Secretary called attention to the necessity for clarifying legislation, and since then the committee has held extensive hearings and reported out this bill. I have in my hand a letter dated February 12, in which the Secretary says that some legislation is absolutely imperative.

Mr. STAFFORD. I thought it was a matter of some importance when you provide \$500 to be paid by any entrymen in lieu of \$100 worth of work yearly so that they may present their oil claims. This is a matter which would involve many, many acres of land of considerable moment to everyone, and I question whether it should be considered under unanimous consent.

Mr. COLTON. As a matter of fact, this bill applies only to those claims that were valid, existing claims prior to February 25, 1920, and their exact status has been uncertain. Some legislation is absolutely necessary.

Mr. STAFFORD. And they amount to thousands of

Mr. COLTON. Yes; about 6,400 claims.

Mr. WELSH of Pennsylvania. Mr. Speaker, I demand the regular order.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. EATON of Colorado. Mr. Speaker, I ask unanimous consent that there may be incorporated in the RECORD at this point the letter of the Secretary of the Interior on the bill that has just been passed over without prejudice.

The SPEAKER pro tempore (Mr. MICHENER). The gentleman from Colorado asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection. The letter referred to follows:

THE SECRETARY OF THE INTERIOR, Washington, February 12, 1931.

Hon. DON B. COLTON, Chairman Committee on the Public Lands,

House of Representatives.

My DEAR Mr. CHAIRMAN: I have your request for my report on

On November 6 I wrote, calling your committee's attention to the probable necessity for legislation clarifying the uncertainties in the existing law respecting oil-shale lands, arising from the adverse Supreme Court decision of Wilbur v. Krushnic (280 U. S. 206). the probable necessity for legislation clarifying the uncertainties in the existing law respecting oil-shale lands, arising from the adverse Supreme Court decision of Wilbur v. Krushnic (280 U. S. 306). I pointed out that as part of this general problem it should be made clear whether the policy of the mineral leasing act is or is not to require the performance of \$100 worth of assessment work each year on oil-shale claims, under penalty of forfeiture to the United States. This question under the mining laws, prior to the mineral leasing act, would necessarily have been answered in the negative. The effect of that act on this point is not clear in view of the Supreme Court decision mentioned above. The department has resolved the ambiguity in favor of the Government, has posted and taken repossession of over 6,400 claims in default, and faces the huge task of adjudicating the status of these claims. The posting of the claims has occupied the time of all mining engineers in the field service with two exceptions, has occasioned great expense, and has required the transfer of a large number of other employees to this work, to the detriment of activities of the field service all through the West.

In my letter I pointed out that there were at least three possible viewpoints: (1) Advocated by oil-shale claimants, that the United States should waive the claim that default in assessment work forfeits a claim to the United States; (2) that Congress should specifically reaffirm the department's policy of forfeiting these claims for failure to do assessment work; (3) that the controversy should be ended by fixing some future date upon which all claims whose assessment work has not been resumed shall be deemed abandoned, and providing that after some later date no further applications for patent will be granted.

I made no recommendation, pointing out that the problem is one of clarification of existing legislation and presents a question of policy for congressional rather than departmental decision.

H. R. 15002 as amend

ring July 1, 1933, on penalty of forfeiture. It provides, however, that in lieu of doing assessment work the claimant may pay \$100 into the Treasury, which can be credited on the law's requirement of \$500 of expenditure as a condition to issuance of patent. This provision is designed to obviate the wide controversy between deprovision is designed to obviate the wide controversy between departmental employees and claimants as to the value of physical labor. Section 37 (a) would protect innocent purchasers for value against charges of dummy locations by their predecessors. Section 37 (b) would fix July 1, 1934, as the date by which all applications for patent must be filed. On that date there would thus be a final conclusion to the claims started under the old mining laws, superseded by the mineral leasing act in 1920; those which had not ripened into an application for patent would be forfeited. Section 37 (c) restricts the act to oil-shale claims.

As pointed out in my letter of November 6. I regard the neces-

As pointed out in my letter of November 6, I regard the necessity for clarifying legislation as imperative, but the form which it takes is a matter for congressional rather than departmental determination. The House committee has given careful attention to this subject. The bill which it has reported out presents no administrative difficulties and I have no objection to its enactment. I believe that the whole question deserves consideration by

Congress at the very earliest opportunity. Very truly yours,

RAY LYMAN WILBUR.

TUCSON FIELD, TUCSON, ARIZ.

The Clerk called the next bill on the Consent Calendar, H. R. 15437, to authorize appropriations for construction at Tucson Field, Tucson, Ariz., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated not to exceed \$53,000 for improvements, construction, and installation at Tucson Field, Tucson, Ariz., as follows:

Hangar and appurtenances thereto, \$50,000; gas-storage system,

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ATTENDANCE OF MARINE BAND AT SPANISH-AMERICAN WAR VETER-ANS' CONVENTION, NEW ORLEANS

The Clerk called the next bill, H. R. 14680, to authorize the attendance of the Marine Band at the Spanish-American War veterans' convention at New Orleans.

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, this bill falls within the line which was fairly well discussed earlier in the afternoon, as to the policy of sending a Government-paid band out to compete with the regular organized and private bands of the localities in which these bands appear.

Mr. McCORMACK of Massachusetts. Will the gentleman

vield?

Mr. UNDERHILL. Yes.

Mr. McCORMACK of Massachusetts. I notice No. 961 on to-day's Consent Calendar, a bill to authorize the attendance of the Marine Band at the sesquicentennial celebration to be held at Yorktown, was reconsidered and an amendment agreed to and the bill passed.

Mr. UNDERHILL. The circumstances were entirely different. That is a matter which is a governmental function and the Marine Band is in no wise competing with other bands. Now, here is the great city of New Orleans, and in New Orleans and vicinity undoubtedly they can furnish musicians enough for the occasion. The gentleman who advocated this measure a few days ago confessed that the purpose of sending this band to New Orleans is commercial; that it would draw people from outside of the city in no wise interested in the convention of the veterans of the Spanish-American War; and that they were going to have bands enough; but this was simply for the purpose of attracting trade for the merchants of the city of New Orleans.

Mr. MONTET. Will the gentleman yield?

Mr. UNDERHILL. I yield.

Mr. MONTET. Is not the same thing true with reference to the celebration at Yorktown?

Mr. UNDERHILL. There are no merchants in Yorktown. It is a little bit of a place and the Yorktown proposition is a national celebration.

Mr. MONTET. What is this but a national celebration?

Mr. YON. This is the national convention of the United Spanish-American War Veterans.

Mr. MONTET. Does the gentleman mean to say that this is a private affair?

Mr. UNDERHILL. It is an organization affair and it is not paid for out of the Treasury of the United States.

Mr. MONTET. But the gentleman does not submit that this is a private affair?

Mr. JENKINS. Would this fact have any weight with the gentleman? The last time the bill was up it was brought out clearly that every band that was organized in New Orleans would be hired and would be present on this occasion, and would be paid, if that were necessary, and that there could be no objection on the ground that this band would take the place of any other band.

Mr. UNDERHILL. If that is the case, then there will be bands enough.

Mr. PARKS. Regular order, Mr. Speaker.

Mr. UNDERHILL. I object.

The SPEAKER pro tempore. Three objections are required.

There being no further objections, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the Spanish-American War Veterans' convention to be held at New Orleans, La., on September 6 to 10, inclusive, 1931.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such reunion there is authorized to be appropriated the sum of \$8,171.44, or so much thereof as may be necessary, to carry out the provisions of this act: Provided, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

With the following committee amendment:

In line 5, on page 1, before the word "Spanish-American," insert the word "United," and after the word "veterans'" insert the word "national."

The amendment was agreed to.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer an amendment. On page 1, line 8, after the word "expenses," insert the words "and subsistence," and on page 2, line 1, strike out the colon, insert a period, and strike out the balance of the section.

The Clerk read as follows:

Amendment offered by Mr. Schafer of Wisconsin: On page 1, in line 8, after the word "expenses," insert "and subsistence," and on page 2, line 1, after the word "act," strike out the colon, insert a period, and strike out the remainder of the section.

Mr. COLLINS. Mr. Speaker, the gentleman's amendment does something that was not done in the bill that just passed relating to Yorktown?

Mr. SCHAFER of Wisconsin. No; it does the identical thing that was done in that case.

Mr. COLLINS. I was thinking \$5 a day was provided in that bill.

Mr. SCHAFER of Wisconsin. No; I offered an amendment to strike out the \$5, the same as the \$5 provision is stricken out of the bill under the amendment which is pending.

Mr. STAFFORD. Mr. Speaker, I ask recognition in opposition to the amendment. I was about to make the same suggestion when the other amendment of similar purport was under consideration, but the amending stage was passed before I could gain recognition.

I ask the attention of the chairman of the Committee on Military Affairs to this question: As I recall the present law relating to members of the Army, they may be paid while on travel to an amount not exceeding \$8 a day on their presenting vouchers showing expenditure, or a per diem pay of \$6.

Mr. JAMES of Michigan. Yes; that applies to all except the Air Corps.

Mr. STAFFORD. Now I would like to ask some member of the Naval Affairs Committee if there is a like provision relating to the expenses of members of the Marine Corps as to a per diem allowance?

Mr. HALE. I think there is. I remember of registering my opposition to the amendment of the gentleman from Ohio, because I think the purpose of the provision is misconceived. All that this \$5 a day limitation does is to get away from the necessity of herding the men all together and feeding them at the same table and putting them in the same hotel, so that some one can pay the total bill. This allows \$5 for subsistence and lets them find their meals wherever they want to. Of course, the amount provided is sufficient to pay their expenses, and the expenses will be paid, but in a different manner from that which they would have been paid had the proviso remained in the bill.

Mr. STAFFORD. Under the Army practice Army officers traveling in connection with their duties are obliged to furnish certificates of expenditure in amounts not to exceed \$8 or in lieu thereof they may be allowed \$6 per diem. I think the provision in the bill is restrictive so that they can not get the \$6 per diem as described under Army rules. So I think the \$5 is a cutting down of the allowance and relieves them from the necessity of returning vouchers showing expenses up to \$8. I think it is a provision in the interest of economy and the amendment should be defeated. My colleague, I think, is under a misapprehension as to the real purpose of the proviso.

The SPEAKER pro tempore (Mr. MICHENER). The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. Schafer of Wisconsin) there were 5 ayes and 26 noes.

So the amendment was rejected.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ESTABLISHING A UNITED STATES PASSPORT BUREAU AT LOS ANGELES.
CALIF.

The Clerk read the title of the next resolution on the Consent Calendar, House Joint Resolution 494, authorizing the establishment and maintenance of a United States passport bureau at Los Angeles, Calif.

Mr. LAGUARDIA. I object.

Mr. TEMPLE. Mr. Speaker, in the absence of the Member who reported the resolution, I ask unanimous consent that this resolution be passed over without prejudice.

Mr. LaGUARDIA. I have no objection.

The SPEAKER pro tempore. Without objection, it is so ordered.

YORKTOWN SESQUICENTENNIAL CELEBRATION

The Clerk read the title of the next bill on the Consent Calendar, H. R. 16590, to permit the Army to participate at the Yorktown Sesquicentennial Celebration.

There being no objection, the Clerk read the committee amendment to the bill, which was to strike out all after the enacting clause and insert the following:

That the Army of the United States is hereby authorized to participate in the 4-day celebration at Yorktown, Va., October 16 to 19, 1931, in commemoration of the surrender of the British forces under Lord Cornwallis, ending the Revolutionary War and establishing the independence of the United States; and the expenses, not to exceed \$30,000, incident to training, attendance, and participation in the said celebration, including the use of such supplies, materials, and equipment as in the opinion of the Secretary of War may be necessary, may be charged to the appropriations for the support of the Army: Provided, That applicable allowances which are or may be fixed by law or regulations for participation in other military activities shall not be exceeded.

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

DISPOSITION OF CERTAIN LIGHTHOUSE RESERVATIONS, MICHIGAN

The Clerk called the next bill, H. R. 9413, to authorize the Secretary of Commerce to dispose of certain lighthouse reservations in the State of Michigan.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I suggest to the author of the bill that inasmuch as the bill provides for certain reversionary provisions the use of the word "permanently" in line 6, on page 1, seems to be rather inconsistent. I suggest that it be stricken out so that it would read:

The same to be held by said State for public park purposes.

Mr. McLAUGHLIN. I have no objection to an amendment of that kind, although the bill was drafted by the Lighthouse Service.

Mr. GREEN. Mr. Speaker, reserving the right to object, as I understand it, this bill permits the Lighthouse Department to deed land for park purposes. I have a similar bill to this which is on the Private Calendar. The only difference is that the land in my bill is deeded to a city, while this is deeded to a State. It seems to me that mine is on all fours with this. I shall ask unanimous consent to put my bill on the Consent Calendar and let it go along with this.

Mr. LaGUARDIA. Is the gentleman sure that his is deeded to a city?

Mr. GREEN. To a city.

Mr. LaGUARDIA. Not to an individual?

Mr. GREEN. No. With that understanding I would not object if mine is put on the Consent Calendar.

Mr. STAFFORD. Oh, if his bill is on the wrong calendar, the gentleman has his remedy under the general rules of the House. This bill is up for consideration on this calendar.

and it is properly on this calendar. I know nothing about the merits of the gentleman's bill. If it is on the wrong calendar, he can correct that situation.

Mr. GREEN. I have a copy of the Senate bill here that I

hope to take up.

The SPEAKER pro tempore. The Chair will not recognize the gentleman from Florida to make that request at this time. Is there objection for the consideration of this bill?

Mr. GREEN. I reserve the right to object. I ask unanimous consent that the bill be passed over without prejudice. I do not want to injure the gentleman's bill, but mine is on all fours with it.

Mr. STAFFORD. I suggest the gentleman bring it up and put it in the same situation as this.

Mr. LaGUARDIA. The gentleman is not helping his bill in this way.

Mr. GREEN. All I want to do is to put my bill on the Consent Calendar.

Mr. BANKHEAD. Is the gentleman's bill erroneously on the Private Calendar?

Mr. GREEN. I feel it is.

Mr. BANKHEAD. For what reason?

Mr. GREEN. Because if this is on the wrong calendar, mine is on the right one, and if this bill is on the right calendar, then mine is on the wrong one.

The SPEAKER pro tempore. We are dealing to-day with the Consent Calendar by unanimous consent. Under those conditions the Chair would not be justified in recognizing the gentleman to take up a bill on another calendar.

Mr. GREEN. In order to settle the matter, I make the point of order that this bill is erroneously on the Consent Calendar.

The SPEAKER pro tempore. The Chair overrules the point of order. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to dispose of to the State of Michigan the lighthouse reservations at Mission Point and Grand Traverse Point, in the State of Michigan, the same to be held permanently by said State for public-park purposes, on such terms as he may determine and with such reservations and restrictions as may be necessary or proper for the maintenance and operation of lighthouses and Coast Guard station and for construction, maintenance, and use of such building or other property thereon as the needs of navigation may now or hereafter require; reserving also full and permanent right of ingress and egress to and from and travel upon lands which may thus be disposed of, for construction, maintenance, and operations of lighthouses, Coast Guard station, and of buildings and property in connection therewith: Provided, That should the State of Michigan fail to keep and hold said land for park purposes title thereto shall revert to and be reinvested in the United States.

Mr. LaGUARDIA. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LaGuardia: Page 1, line 6, strike out the word "permanently."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

FORT ONTARIO MILITARY RESERVATION

The Clerk called the next bill, H. R. 15063, to authorize the Secretary of War to reconvey to the State of New York a portion of the land comprising the Fort Ontario Military Reservation, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to reconvey to the State of New York, upon such terms as he may deem advisable, such portion of the land comprising the Fort Ontario Military Reservation as was granted to the United States of America by letters patent from the Governor of the State of New York dated August 15, 1839, as may be deemed by him as no longer required for military purposes.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table. ADDITIONAL DISTRICT JUDGES IN NEW YORK STATE

Mr. BOYLAN. Mr. Speaker, I objected to Calendar Nos. 985 and 986, bills to provide additional district judges for the southern and eastern districts of New York. I now withdraw my objection to these bills and ask that we return to them for consideration.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to return to bills Nos. 985 and 986 on the calendar, H. R. 12059 and H. R. 12032. Is there objection?

Mr. DENISON. Mr. Speaker, I object.

STATE OF ALABAMA

The Clerk called the next bill, S. 5649, for the relief of the State of Alabama.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the State of Alabama be, and is hereby, relieved from all responsibility and accountability for certain quartermaster and ordnance property to the approximate value of \$1,098.29, the property of the War Department, which was lost, destroyed, or used for flood-relief work incident to the Elba (Ala.) flood of March, 1929, while in the possession of the Alabama National Guard; and the Secretary of War is hereby authorized and directed to terminate all further accountability for said property."

The committee amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

UNITED STATES PASSPORT BUREAU, LOS ANGELES, CALIF.

Mr. CRAIL. Mr. Speaker, Calendar No. 994, House Joint Resolution 494, was passed over without objection. I now ask unanimous consent to return to the resolution (H. J. Res. 494) authorizing the establishment and maintenance of a United States passport bureau at Los Angeles, Calif.

The SPEAKER. The gentleman from California asks unanimous consent to return to Calendar No. 994. Is there objection?

Mr. LaGUARDIA. Reserving the right to object, I objected to the consideration of the bill when it was called, whereupon the distinguished gentleman from Pennsylvania, Doctor Temple, asked if I would object to it going over without prejudice. I had no objection to it going over without prejudice; but if it is to be called up for consideration, I shall object, so I do not see that the gentleman from California would be in any better position except that the next time it would require three objections.

Mr. CRAIL. I think it should either be objected to or passed. I believe there is not a port in the United States where there are as many passports originated as at Los Angeles, and I do not think there is any reason why the city of Los Angeles should not have a passport bureau.

Mr. STAFFORD. Will the gentleman yield?

Mr. CRAIL. I yield.

Mr. STAFFORD. I was impressed in reading the report with the number of steamship lines leaving Los Angeles directly for the far eastern ports. I would like to inquire of the gentleman how many steamship lines depart from Los Angeles direct for the Orient?

Mr. CRAIL. I do not think the gentleman from New York should object to this.

Mr. LaGUARDIA. Has the Department of State indorsed this?

Mr. CRAIL. They have made no objection.

Mr. LaGUARDIA. Did they indorse it?

Mr. CRAIL. They gave us a letter, signed by the Secretary himself, stating that the State Department had no objection to it.

Mr. LaGUARDIA. But they did not say they indorsed it, because they told me they did not indorse it. Let us be frank about it. I object for the present, Mr. Speaker.

ORDER OF BUSINESS

The SPEAKER. In so far as suspensions are concerned, the Chair has a tentative program. The Chair will first recognize a motion for consideration of the bill (H. R. 15865) for the retirement of certain employees in Panama.

After that a bill introduced by the gentleman from New York [Mr. Snell], providing for the reconstruction of Plattsburg Barracks.

After that the Hawley bill (H. R. 16517) relating to convict labor.

After that a bill introduced by the gentleman from Ohio [Mr. Speaks] (H. R. 12918) relating to the National Guard.

After that the bill (H. R. 10560) introduced by the gentleman from Georgia [Mr. Brand] making it a criminal offense to make slanderous statements with regard to the condition of banks.

After that the bill (H. R. 16296) with reference to deportation of communists.

After that the joint resolution (H. J. Res. 467) introduced by the gentleman from New York [Mr. WAINWRIGHT], which relates to a memorial in Washington to the Second Division.

After that a bill from the Post Office Committee relieving postmasters from liability for wrongful acts of their subordinates under certain conditions.

Mr. BANKHEAD. Mr. Speaker, may I ask a question of the Speaker as to just what the Speaker's statement means. Is it the purpose of the Speaker, in the event we do not conclude all of the bills, to follow hereafter the same order that the Speaker has indicated in recognizing Members?

The SPEAKER. That will depend on circumstances. The Chair thinks there might be a chance of finishing these bills this afternoon. The Chair thinks there is only one of them that may possibly encounter any serious objection.

RETIREMENT OF EMPLOYEES OF PANAMA

Mr. DENISON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 15865) for the retirement of employees of the Panama Canal and the Panama Railroad Co. on the Isthmus of Panama who are citizens of the United States.

The SPEAKER. The gentleman from Illinois [Mr. DENIson] moves to suspend the rules and pass the bill H. R. 15865, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That all employees of the Panama Canal on the Isthmus of Panama, and all employees of the Panama Railroad Co. on the Isthmus of Panama, who are citizens of the United States and whose tenure of employment is not intermittent nor of uncertain duration, shall come within the provisions of this act.

AUTOMATIC SEPARATION

SEC. 2. All employees to whom this act applies shall, after reach ing the age of 62 years and having rendered at least 15 years of service on the Isthmus of Panama, be automatically separated from the service and retired on the annuity provided for herein; and all salary, pay, or compensation shall cease from that date: Provided, That if the Governor of the Panama Canal certifies to the Civil Service Commission that by reason of his efficiency and willingness to remain in the service, the continuance of such emwillingness to remain in the service, the continuance of such employee therein would be advantageous to the service, such employee may be retained for a term not exceeding two years, upon the approval and certification by the Civil Service Commission, and, at the end of the 2-year term, by similar approval and certification, be continued for an additional term not exceeding two years: Provided, however, That no employee shall be continued in the service beyond the age of retirement for more than four years, except that where the Governor of the Panema Canal certifice and service belong the age of retriement for more than four years, except that where the Governor of the Panama Canal certifies, and the Civil Service Commission agrees, that by reason of expert knowledge and special qualifications the continuance of the employee would be advantageous to the service, further extensions

of two years may be granted.

All employees to whom this act applies who would be eligible All employees to whom this act applies who would be eligible for retirement from the service upon attaining the age of 62 years shall, after attaining the age of 60 years and having rendered at least 30 years' service, computed as provided in section 7 of this act, be eligible for retirement on an annuity as provided in section 6 of this act. Retirement under the provisions of this paragraph shall be at the option of the employee, but if such option is not exercised prior to the date upon which the employee would otherwise be eligible for retirement from the service, the provisions of this act with respect to automatic separation from the service shall apply. shall apply.

VOLUNTARY RETIREMENT

SEC. 3. (a) Any employee to whom this act applies who shall have attained the age of 55 and rendered at least 25 years of

service, of which not less than 15 years shall have been rendered on the Isthmus of Panama, may voluntarily retire on an annuity equivalent in value to the present worth of a deferred annuity beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 6 of this act, the present worth of said deferred annuity to be determined on the basis of the American Experience Table of

be determined on the basis of the American Experience Table of Mortality and an interest rate of 4 per cent, compounded annually.

(b) Any employee to whom this act applies may voluntarily retire on an annuity computed as provided in section 6, who shall have attained the age of 55 and rendered at least 30 years of service on the Isthmus of Panama (inclusive of absences while in the service of the United States during the World War), of which not less than three years shall have been in the employment of the Isthmian Canal Commission or the Panama Railroad Co. between May 4, 1904, and April 1, 1914.

DISABILITY RETIREMENT-MEDICAL EXAMINATIONS REQUIRED

SEC. 4. (a) Any employee to whom this act applies who shall have attained the age of 55 years and shall have rendered at least 15 years of service on the Isthmus of Panama, and who shall have become physically or mentally disqualified to perform satisfactorily and efficiently the duties of his position or of any other position of approximately equal compensation to which he might be assigned, because of the strenuous or hazardous nature of such position, shall, upon the request or order of the Governor of the Panama Canal, be retired on an annuity computed in accordance with the provisions of section 6 hereof: *Provided*, That no such employees shall be so retired except after an examination and finding as to his mental or physical disqualifications as hereinafter

(b) Any employee to whom this act applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in section 2 hereof, shall have become totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon request or order of the Governor of the Panama Canal, be retired on an annuity computed in accordance with the provisions of section 6 hereof.

No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter. No employee shall be retired under the provisions of this section unless he or she shall have been examined by a medical officer of the United States, or a duly qualified physician or surgeon or board of physicians or surgeons, designated by the Commissioner of Pensions for that purpose, and found to by the commissioner of religious for that purpose, and form to be disabled in the degree and in the manner specified herein. Every annuitant retired under the provisions of this section,

unless the disability for which he was retired be permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 2 hereof, be examined under the direction of the Commissioner of Pensions by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Commissioner of Pensions for that purpose, in order to determine the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching the age at which he would otherwise have become eligible for retirement and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding 90 days from the date of the medical examination showing such recovery.

If the annuitant shall fail to obtain reemployment through no fault of his own within the 90-day period in any position included in the provisions of this act, he shall be considered as involuntarily separated from the service as of the date he shall have been retired for disability, and if otherwise eligible, entitled to an annuity under section 5 of this act to begin at the close of said 90-day period based on the service rendered prior to his retirement for disability.

The Commissioner of Pensions may order or direct at any time such medical or other examination as he shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section. Should an annuitant fall to appear for any examination required under this section, payment of the annuity shall be suspended until the requirement shall have been met.

In all cases where the annuity is discontinued under the pro-visions of this section before the annuitant has received a sum equal to the amount credited to his individual account as provided in section 11 (a) hereof, together with interest at 4 per cent per annum compounded on June 30 of each year, the difference, unless he shall become reemployed in a position within the purview of this act, shall be paid to the retired employee, as provided in section 11 (b) hereof, upon application therefor in such form and manner as the Commissioner of Pensions may direct. In case of reemployment in a position within the purview of this act the amount so refunded shall be redeposited as provided in section 11 (b) hereof.

No person shall be entitled to receive an annuity under the provisions of this act, and compensation under the provisions of the act of September 7, 1916, entitled "An act to provide compensation for employees of the United States suffering injuries

while in the performance of their duties, and for other purposes," or such act as amended, covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either act for any part of the same period of time.

Fees for examinations made under the provisions of this section, by physicians or surgeons who are not medical officers of the light of the comprise of periods and the comprise of the section, and the comprise of the section of the sect

United States, shall be fixed by the Commissioner of Pensions, and such fees, together with the employee's reasonable traveling and other expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this act.

INVOLUNTARY SEPARATION FROM THE SERVICE

SEC. 5. Should any employee 55 years of age or over to whom this act applies, after having served for a total period of not less than 15 years and before becoming eligible for retirement under the conditions defined in section 2 hereof, become involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, such employee shall be paid as he may elect, either-

may elect, either—

(a) The amount of the deductions from his basic salary, pay, or compensation, including accrued interest thereon computed as prescribed in section 11 (b) hereof;

(b) An immediate life annuity beginning at the date of separation from the service, having a value equal to the present worth of a deferred annuity beginning at the age at which the employee would otherwise have become eligible for retirement, computed as provided in section 6 of this act, the present worth of said deferred annuity to be determined on the basis of the American Experience Table of Mortality and an interest rate of 4 per cent, compounded annually; or

(c) A deferred annuity beginning at the age at which the employee would otherwise become eligible for retirement computed as provided in section 6 of this act.

Any employee who has served for a period of not less than 15

Any employee who has served for a period of not less than 15 years, and who is 45 years of age, or over, and less than 55 years, and who becomes separated from the service under the conditions set forth in this section shall be entitled to a deferred annuity, but such employee may, upon reaching the age of 55 years, elect to receive an immediate annuity as provided in paragraph (b) of this section this section.

Should an annuitant under the provisions of this section be re-employed in any position included in the provisions of this act, payment of annuity shall not be allowed covering the period of such reemployment, and an annuity based upon involuntary separation shall not be allowed upon subsequent separation from the service unless such subsequent separation shall be involuntary.

METHOD OF COMPUTING ANNUITIES

SEC. 6. The annuity of an employee retired under the provisions of this act shall be composed of-

(1) A sum equal to \$37.50 multiplied by the number of years of service, not to exceed 30 years, rendered (a) on the Isthmus of Panama, or (b) in the military or naval service of the United States in the Tropics; and
(2) The annuity purchasable with the sum to the credit of the employee's individual account, including accrued interest thereon computed as prescribed in section 11 (a) hereof according to

computed as prescribed in section 11 (a) hereof, according to the experience of the Canal Zone retirement and disability fund

the experience of the Canal Zone retirement and disability fund as may from time to time be set forth in tables of annuity values by the board of actuaries; and

(3) Thirty dollars multiplied by the number of years of service rendered and not allowable under paragraph (1) hereof: Provided That the number of years of service to be used in computing the allowance under paragraph (3) shall not exceed the difference between 30 and the number of allowable years of service under paragraph (1); and

(4) Thirty-six dollars multiplied by the number of years of service rendered on the Isthmus of Panama, either in the employ of the Isthmian Canal Commission or the Panama Railroad Co., between May 4, 1904, and April 1, 1914.

between May 4, 1904, and April 1, 1914.

In no case, however, shall the total annuity paid, exclusive of that provided in paragraph (4) hereof, be less than an amount

In no case, however, shall the total annuity paid, exclusive of that provided in paragraph (4) hereof, be less than an amount equal to the sum of—

The average annual basic salary, pay, or compensation, not to exceed \$2,000 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (1) hereof, and divided by 40; and the average annual basic salary, pay, or compensation, not to exceed \$1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (3) hereof, and divided by 40: Provided, That the annuity paid a retiring employee of the Panama Railroad Co. in such service on June 30, 1931, shall be an amount equal to 2 per cent of the average annual basic salary, pay, or compensation, not to exceed \$5,000 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of allowable service rendered prior to July 1, 1931; plus the amount to which the employee is entitled under the provisions of this section, exclusive of paragraph (4), for service rendered subsequent to June 30, 1931: Provided, however, That the sum to be used in computing the annuity purchasable under paragraph (2) of this section shall include only contributions made subsequent to June 30, 1931: And provided further, That the number of years

of service to be used in computing the annuity under paragraphs (1) and (3) of this section shall not exceed the difference between 30 and the number of years of allowable service rendered

prior to July 1, 1931.

The annuity granted under paragraphs (1), (3), and (4) of this section shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option

of the employee.

Any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned. For the purposes of this act all periods of service shall be computed in accordance with section 7 hereof, and the

annuity shall be fixed at the nearest multiple of 12.

The term "basic salary, pay, or compensation," wherever used in this act, shall be so construed as to exclude from the operation of the act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation.

COMPUTATION OF ACCREDITED SERVICE

SEC. 7. Subject to the provisions of section 8 hereof, the service which shall form the basis for calculating the amount of any benefit provided in this act shall be computed from the date of original employment, whether as a classified or an unclassified employee, in the civil service of the United States or under the municipal government of the District of Columbia, including periods of service at different times and in one or more departments branches or independent offices of the Government and periods of service at different times and in one or more departments, branches, or independent offices of the Government, and service on the Isthmus of Panama with the Isthmian Canal Commission, the Panama Canal, or the Panama Railroad Co.; also periods of service performed overseas under authority of the United States and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States. In the case of an employee, however, who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the war risk insurance act, the period of his military or naval service upon which such the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this act shall be so construed as to affect in any manner his right to a pension, or to retired pay, or to compensation under the war risk insurance act in addition to the annuity herein provided.

annuity herein provided.

In computing length of service for the purposes of this act all periods of separation from the service, and so much of any leaves of absence without pay as may exceed six months in the aggregate in any calendar year, shall be excluded.

In determining the total periods of service upon which the allowances are to be computed under section 6 hereof, the fractional part of a month, if any, shall be eliminated from each approach to the service total period.

respective total period.

CREDIT FOR PAST SERVICE

SEC. 8. All employees coming within the provisions of this act after the effective date thereof shall be required to deposit with the Treasurer of the United States to the credit of the Canal Zone the Treasurer of the United States to the credit of the Canal Zone retirement and disability fund referred to in section 9 hereof, under rules to be prescribed by the Commissioner of Pensions, a sum equal to 2½ per cent of the employee's basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926, and also 3½ per cent of the basic salary, pay, or compensation for services rendered subsequent to June 30, 1926, together with interest computed at the rate of 4 per cent per annum compounded on the last day of each fiscal year, but such interest shall not be included for any period during which the employee was separated from the service. Upon making such deposit the employee shall be entitled to credit for the period or periods of service involved: Provided, That no such deposit shall be required on account of services rendered for the Panama Railroad Co. prior to January 1, 1924: Provided further, That failure to make such deposit shall not deprive the employee of credit for any past service for which no deposit is required under the provisions of this section.

DEDUCTIONS

SEC. 9. Beginning July 1, 1931, there shall be deducted and with-Sec. 9. Beginning July 1, 1931, there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this act applies a sum equal to 5 per cent of such employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each employee shall be deposited with the Treasurer of the United States to the credit of a special fund to be known as the Canal Zone retirement and disability fund, in accordance with the procedure now or hereafter prescribed for covering into the United States Treasury the deductions from salaries under the civil service retirement act of May 22, 1920, as amended, and said fund is hereby appropriated for the payment of the annuities, refunds, and allowances as provided in this act.

The Commissioner of Pensions is hereby authorized and directed

The Commissioner of Pensions is hereby authorized and directed The Commissioner of Pensions is hereby authorized and directed to ascertain the amount, including accrued interest, due employees of the Panama Canal coming within the purview of this act from the civil service retirement and disability fund created by the act of May 22, 1920, and to certify same to the Secretary of the Treasury, who is hereby authorized and directed to transfer such amount on the books of the Treasury Department to the Canal Zone retirement and disability fund.

The board of directors of the Panama Railroad Co. shall cause to be transferred to the Secretary of the Treasury, for credit to

the Canal Zone retirement and disability fund, the gross assets in the Panama Railroad pension fund at the close of business on June 30, 1931, applying to employees included within the provisions of this act, subject to the assumption of the liabilities of that fund as of the close of business on June 30, 1931, by the Canal Zone retirement and disability fund.

Every employee coming within the provisions of this act shall be deemed to consent and agree to the deductions from salary, pay, or compensation as provided herein, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such employee during the period covered by such payment, except the right to the benefits to which he shall be entitled under the provisions of this act, notwithstanding the provisions of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons to whom this act applies. this act applies.

INVESTMENTS AND ACCOUNTS

SEC. 10. The Secretary of the Treasury shall invest from time to time in interest-bearing securities of the United States or in Federal farm-loan bonds such portions of the Canal Zone retirement and disability fund as in his judgment may not be immediately required for the payment of the annuities, refunds, and allowances herein authorized, and the incomes derived from such investments shall constitute a part of such fund.

RETURN OF AMOUNTS DEDUCTED FROM SALARIES

SEC. 11. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the civil service retirement and disability fund or the Panama Railroad pension fund, covering service rendered prior to the effective date of this act, shall be credited to an individual account of such employee to be maintained by the Panama Canal, and the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the Canal Zone retirement and disability fund, covering service from and after the effective date of this act, less the sum of \$1 per month or major fraction thereof, shall similarly be credited to such individual account.

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(b) In the case of any employee to whom this act applies who shall be transferred to a position not within the purview of the act, or who shall become absolutely separated from the service before becoming eligible for retirement on annuity, the amount credited to his individual account shall be returned to such employee together with interest at 4 per cent per annum compounded on June 30 of each year: Provided, That when any employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, the total amount of his deductions with interest thereon shall be paid to such employee: And provided further, That all moneys so returned to an employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this act, be redeposited with interest before such employee may derive any benefits under this act, except as provided in this section, but interest shall not be required covering any period of separation interest shall not be required covering any period of separation from the service.

(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in (2) of section 6 hereof an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit shall be paid in one sum to his legal representatives upon the establishment of a valid claim therefor, unless the annuitant shall have elected to receive an increased annuity as provided in section 6 hereof.

(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions, with interest thereon, shall be paid to the legal representatives of such

(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally

amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such employee.

(f) If the amount of accrued annuity or of refund due a former employee who is legally incompetent does not exceed \$1,000, and if there has been no demand upon the Commissioner of Pensions by a duly appointed executor, administrator, guardian, or committee, payment may be made, after the expiration of 30 days from date of death or of separation from the service, as the case may be, to such person or persons as may appear in the judgment of the Commissioner of Pensions to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

PAYMENT OF ANNUITIES

SEC. 12. Annuities granted under the terms of this act shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued; and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be pre-scribed by the Administrator of Veterans' Affairs in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.

Applications for annuity shall be in such form as the Commissioner of Pensions may prescribe, and shall be supported by such

certificates from the heads of departments, branches, or independent offices of the Government or the Panama Railroad Co. in which the applicant has been employed as may be necessary to the determination of the rights of the applicant. Upon receipt of satisfactory evidence the Commissioner of Pensions shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant under the seal of the Veterans' Administration.

Annuities granted under the provisions of sections 2 and 3 of this act shall commence from the date of separation from the service and shall continue during the life of the annuitant. Annuities granted under the provisions of sections 4 and 5 hereof shall be subject to the limitations specified in said sections.

BENEFITS EXTENDED TO THOSE ALREADY RETIRED

SEC. 13. In the case of those employees of the Panama Canal or the Panama Railroad Co. who before the effective date of this act shall have been retired on annuity under the provisions of the act shall have been retired on annuity under the provisions of the act of May 22, 1920, or said act as amended, or as extended by Executive orders, or under the provisions of the Panama Railroad pension plan, the annuity shall be computed, adjusted, and paid under the provisions of this act, but this act shall not be so construed as to reduce the annuity of any person retired before its effective date, nor shall any increase in annuity commence before such effective date.

All those who were separated from the service of either the Panama Canal or the Panama Railroad Co. on the Isthmus of Panama subsequent to August 1, 1920, and before the effective date of this act, not by removal for cause on charges of misconduct or delinquency, without having been granted retirement annuities due to the fact that all of their service which would be allowable under the appropriate of this act. be allowable under the provisions of this act was not counted in arriving at their total service, and who are otherwise eligible by having made the necessary contributions to the retirement and disability funds as herein provided, shall, from the effective date of this act, be paid annuities in accordance with the provisions of this act.

BOARD OF ACTUARIES

SEC. 14. The board of actuaries selected by the Commissioner of Pensions under the provisions of section 16 of the act of July 3, 1926, shall make a valuation of the Canal Zone retirement and disability fund at intervals of five years, or oftener if deemed necessary by the Commissioner of Pensions.

ADMINISTRATION

SEC. 15. For the purpose of administration, except as otherwise provided herein, the Commissioner of Pensions, under the direction of the Administrator of Veterans' Affairs, is hereby authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect. An appeal to the Administrator of Veterans' Affairs shall lie from the final action or order of the Commissioner of Pensions affecting the rights or interests of any person or of the United States under this act, the procedure on appeal to be as prescribed by the Commissioner of Pensions, with the approval of the Administrator of Veterans' Affairs.

The Commissioner of Pensions shall make a detailed comparative report annually, showing all receipts and disbursements on account of annuities, refunds, and allowances under this act, together with the total number of persons receiving annuities and the total amounts paid them; and he shall transmit to Congress, through the Administrator of Veterans' Affairs, the reports and

The Administrator of Veterans' Affairs shall submit annually to the Bureau of the Budget estimates of the appropriations necessary to finance the Canal Zone retirement and disability fund, and to continue this act in full force and effect.

EXEMPTION FROM EXECUTION, ETC.

SEC. 16. None of the moneys mentioned in this act shall be assignable, either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process.

SEC. 17. This act shall take effect July 1, 1931, and from and after that rate the provisions of the civil service retirement act of May 22, 1920, as amended, shall not apply to employees of the Panama Canal on the Isthmus of Panama or to any other em-Panama Canal on the Isthmus of Panama or to any other employees coming within the provisions of this act: Provided, however, That any employee of the Panama Canal who shall attain the age of eligibility for retirement without having rendered sufficient service on the Isthmus of Panama to entitle him to be retired on an annuity as provided by section 2 hereof, but whose aggregate employment under the United States would be sufficient in gate employment under the United States would be sufficient in character and duration to entitle him to receive an annuity under the provisions of the Civil Service Retirement Act of May 22, 1920, as amended, will be eligible to retire and receive an annuity under the provisions of that act and payable from the civil service retirement and disability fund; and in such event the employee shall be entitled, upon separation from the service, to the refund, under such regulations as the Commissioner of Pensions may prescribe, of any excess in the deductions made from his salary, pay, or compensation under the provisions of this act, with interest, over those which would have been made at the rate fixed by the Civil Service Retirement Act as amended; and the Commissioner of Pensions shall certify to the Secretary of the Treasury the amount remaining to the credit of such employee in the Canal Zone retirement and disability fund, and said amount shall be transferred on the books of the Treasury Department to the civil service retirement and disability fund.

The SPEAKER. Is a second demanded?

Mr. LAGUARDIA. Mr. Speaker, I demand a second.

Mr. DENISON. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Without objection it is so ordered.

There was no objection.

The SPEAKER. The gentleman from Illinois [Mr. DENIsowl is recognized for 20 minutes and the gentleman from New York [Mr. LaGuardia] is recognized for 20 minutes.

Mr. DENISON. Mr. Speaker, I think I can explain this

bill in less than 20 minutes.

In the Panama Canal Zone there are two classes of American employees, those working for the Panama Canal and those working for the Panama Railroad Co., which is a New York corporation, all of the stock of which is owned by the Government. So that while the employees of the railroad company are not technically working for the Government, they are really Government employees.

The employees of the Panama Canal were placed under the general retirement law applicable to all employees of the Government in the States, and the employees of the Panama Railroad Co. have a retirement plan of their own, put into effect some years ago by the trustees of the Panama Railroad Co. It is purely a voluntary plan and may be abolished or changed at any time by the trustees of the railroad

company.

The provisions of the two retirement plans are different; the annuities are quite different; and, under existing law, the employees of the Panama Canal who worked for the railroad company during construction days are not allowed credit for any time they worked for the railroad company. During the 10 years of construction, employees of one organization were shifted to the other upon orders from superior officers, so that many of the employees of the Panama Canal can not now receive credit for the years they worked for the Panama Railroad during the construction of the

The purpose of this bill is, briefly, to take all of the American employees in the Canal Zone, those working for the Panama Canal and those working for the Panama Railroad Co., and place them both under the same retirement system so that they may all be treated exactly alike, as they should be, because they are all working under identical conditions.

The differences between the provisions of this bill and existing law are briefly these: This bill was drafted along the lines of the Lehlbach bill. In other words, we used exactly the phraseology that is used in the Lehlbach bill. The same principles are applied. But this bill allows employees of the Panama Canal and the Panama Railroad Co. slightly larger annuities than are allowed to employees of the Government in the United States, because of the tropical conditions where they have to live and work and spend their

Mr. EATON of Colorado. Will the gentleman yield? Mr. DENISON. Yes.

Mr. EATON of Colorado. But the employees pay more for that annuity under this bill than they pay under the Lehlbach system?

Mr. DENISON. Yes. The employees down there felt that they would rather contribute more to the retirement fund and receive a somewhat increased annuity. So this bill provides that they must contribute 5 per cent of their salaries or wages to the retirement fund instead of 31/2 per cent, as is required under the law applicable to the United States. The Panama Canal act provides that all employees who work in the Tropics on the Panama Canal shall receive 25 per cent higher wages than is received for similar work in this country. This bill follows that principle and applies the same principle to the retirement annuities as is applied to the wages paid down there.

Mr. THATCHER. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. THATCHER. The provisions of the bill are only applicable to those employed on the Isthmus.

Mr. DENISON. The provisions of the bill apply only to those employees on the Isthmus of Panama.

Mr. HUDSON. Does the gentleman mean the employees on the Isthmus who are employed by the Panama Canal Zone government and also by the Panama Railroad?

Mr. DENISON. Yes. Mr. HUDSON. The Panama Railroad does have some employees who are in the States?

Mr. DENISON. Yes; and the provisions of this bill do not apply to them, nor do the provisions of the bill apply to the employees of the Panama Canal working here in Washington.

Mr. HUDSON. There is no question about that.

Mr. DENISON. No; none at all.

Mr. EATON of Colorado. It applies to American citizens who are employees of the Panama Canal Zone or the Panama Railroad Co. on the Isthmus of Panama.

Mr. DENISON. It only applies to American citizens. We have a great number of employees who are West Indians, but they are not covered by the provisions of this bill and never have been under any retirement law.

This bill allows retirement at 62 years of age, just as is the case under the Lehlbach bill. It allows retirement in some cases at 60 where the employee has worked 30 years

for the Government.

No one can take advantage of the provisions of this act unless they have worked 15 years in the Tropics on the Canal Zone. This bill also contains a provision allowing voluntary retirement at the age of 55 under certain conditions which are definitely set out in the bill, where, for instance, an employee finds that his health is broken and that he ought to change climate, or where he finds that the health of his family has broken, as is very often the case down there, and he has to move back to the States. It allows voluntary retirement in such cases at the age of 55, but the person who retires, retires at a reduced annuity, so that that provision does not cost the Government any more in such cases of retirement than it would if an employee should continue in the service until he reaches 60 or 62 years of age.

Mr. DOWELL. Will the gentleman yield? Mr. DENISON. Yes.

Mr. DOWELL. Is retirement compulsory at any age?

Mr. DENISON. The age of retirement is fixed at 62, but under certain conditions described in the bill, they can be continued for two periods of two years each, after which they have to be retired.

Mr. EATON of Colorado. But that is at the option of the Panama Canal government and not at the option of the employee?

Mr. DENISON. Yes; that is correct.
Mr. DOWELL. That is, certain officers there have authority to continue them in the service if they so desire?

Mr. DENISON. Yes. In other words, the age of retirement is 60 or 62, but an employee may apply to be continued in the service for two periods of two years each, which can be granted under the terms of the bill by the governor.

Mr. DOWELL. That is the same provision, as I under-

stand it, as is found in the Lehlbach bill?

Mr. DENISON. Exactly. There is also a provision in the bill which allows compulsory retirement at the age of 55 in certain cases of employment where, for instance, the work in which the employee is engaged is of such a character as to require peculiar alertness of mind. If the governor finds that the health or efficiency of such an employee has failed to such an extent as to make it no longer desirable for him to remain in that class of employment, the governor is given the right, after certain physical examinations provided in the bill, to retire such an employee at the age of 55 years. That provision has been put in the bill at the request of the administrative authorities, and it will be in the interest of preserving a higher efficiency among the canal employees who are employed in work of a particularly hazardous or responsible character.

Mr. EATON of Colorado. As soon as the Lehlbach retirement bill for civil-service employees was passed the last session it was immediately in order to apply similar retirement provisions to the Canal Zone employees. No one here to-day is any better posted concerning the compensation of employees and conditions under which they work in the Canal Zone than the gentleman from Illinois [Mr. DENISON], whose bill, now under discussion, has been finally drafted to meet practically every objection heretofore made and in a manner that has produced a proper plan for retirement pay for Canal Zone employees.

There is one element which enters into the consideration of this bill which I have not heard mentioned, and that is that the employee who serves out his whole time to the date of retirement is not permitted to have a home on the Canal Zone or remain where his friends of the past 20 to 30 years may be seen from time to time.

Many of us, possibly, do not recognize that the government of the Canal Zone is a military government. A civil government, as such, is existent in name only. There is a major general in command of the Army forces. You will find there an admiral in command of the naval forces. There is an official with the title of Governor of the Canal Zone, but he is a colonel of the Army. His immediate subordinate, with the title of deputy governor, is also an Army officer with the grade of lieutenant governor. Under the present system when the governor is changed he is replaced by the deputy. No civilian has held the office of governor since before the World War.

One of the rules of the Canal Zone is that no one may remain in the zone who is not in the employ of the United States or in some one of its activities, whether they are military or compare in some way with activities of civil

My understanding is that quarters are furnished for all white persons living within the zone and that no employee is compelled or permitted to live outside the zone.

When a man's work in the zone is done, neither he nor his family may stay there any longer. His quarters must be vacated, some one else moves in, and the man who moved out, with his family, comes on back to the United States. I do not mean to say that he must come back to his own country. But even with those who take a little visit to other countries for a while it is not long until they are back home. And, of course, those who have spent 20 to 30 years in the Canal Zone come back to what proves to be, practically, a strange land.

I am not entirely clear what is to be done with the amounts put into the retirement fund by those who will only stay in the Tropics a few years. How do they get out their deposit? Does any part of the Government's contribution become payable back to him; and if so, how much? What part, if any, of the earnings of the employees and Government's money is forfeited, if the employee does not stay until the day he may be lawfully retired?

When I have been in the Canal Zone, I have listened with a great deal of interest to the representatives of the employees and the administrative heads. There seems to be a unanimity of opinion on this subject of retirement which may be somewhat unusual; on this subject there seems to be no dispute. Even those who spoke for the employees of the railroad could agree that if their retirement plan which had been in effect since 1924 were protected in legislation for the balance of the employees, they had no objection. I know of none now put forth, as it is understood that adjustment will be made as to all payments heretofore paid in by the railroad employees in the zone, and upon July 1, 1931, they will be placed on the same future basis as the employees of the canal. As a matter of administration, there seems to be a good excuse for dividing the employees into canal and railroad employees; but with respect to retirement cost as well as reward, there certainly is no reason why there should not be a permanent uniform retirement plan for all, instead of the special plan for railroad employees now in effect.

It must be remembered that all work in the Canal Zone is the subject of special consideration and award. The scale of wages is 25 per cent greater than in the United States. The vacation privileges are greater. And in this plan proposed for the employees it meets their desire to pay not merely 25 per cent more than is required for the retirement funds of civil-service employees in the United States but almost 43 per cent. Under the Lehlbach retirement bill civil-service employees pay 31/2 per cent of their wages into the retirement fund. Under the bill before us the Panama Canal Zone employees will pay 5 per cent into the retirement fund. Of course, this will provide a higher retirement pay, but that is entirely consistent with the representations made by the Government pay for work in the Canal Zone, which have resulted in the 25 per cent increase in the civil-service wage scale and other privileges incident to their work.

Will the gentleman from Illinois now answer this question? When an employee is retired at 55 does he get less retirement benefits than if carried through to 62 years of age?

Mr. DENISON. Not if his retirement is compulsory; but if he retires at 55 years of age upon his own application, he does so at a reduced annuity; if he retires at 55 years of age upon the orders of the administrative authorities of the zone, he is retired upon the regular annuity.

Mr. STAFFORD. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. STAFFORD. In following the gentleman's explana-tion of this bill, I do not believe I heard him make any reference as to whether any additional charge will be imposed on the Treasury.

Mr. DENISON. The additional cost will be about this: If you take the cost to the Government under the present general retirement law, and add to that the cost of the Panama Railroad retirement plan, and then take the cost that will accrue under this bill, there is only a difference of about \$30,000, which will amount to about \$10 per man on the zone. So it will be practically nothing.

Mr. GIBSON. Will the gentleman yield?
Mr. DENISON. I yield to the gentleman from Vermont. Mr. GIBSON. As I understand it, we have now in operation two plans of retirement, one for the employees of the Panama Railroad and one for the employees of the Panama Canal.

Mr. DENISON. Yes.

Mr. GIBSON. And this bill puts them all under one plan. Mr. DENISON. Yes.

Mr. GIBSON. And it has the approval of the employees of the railroad as well as the approval of the employees of the Canal Zone?

Mr. DENISON. The gentleman is correct.
Mr. GIBSON. And also the approval of the Governor of the Canal Zone and of the officials of the United States Gov-

Mr. DENISON. The gentleman is correct.

This bill has been in course of preparation for several years. The governor has urged it very forcefully for several years. Various bills have been prepared, but the cost ran too high; and finally, in cooperation with the Bureau of Efficiency and committees of the employees and the Pension Bureau also, this bill has been very carefully worked out and prepared, and follows the general provisions of the Lehlbach bill. It is now satisfactory to both classes of employees on the zone and is satisfactory to all the administrative officers on the Canal Zone.

Mr. STAFFORD. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. STAFFORD. From the gentleman's study of the general retirement law, can he state whether the existing law, the so-called Lehlbach bill, applies only to citizens of the United States?

Mr. DENISON. Yes.

Mr. STAFFORD. It does not apply to any aliens who have been living in the country and who are declarants for citizenship, or the like?

Mr. DENISON. No: it only applies to American citizens. I do not think any legislation can be prepared more carefully than has this bill. Numerous hearings have been held by the Committee on Interstate and Foreign Commerce. It is, of course, not important to the rest of the country, but it is of very great importance not only to all the Government employees in the Canal Zone but also to the administrative officials who are in charge of the canal and the Canal

We have a splendid organization of American employees living and working in the Canal Zone. There are about 2.600 or 2,700 American citizens employed on the canal and about 500 employed by the Panama Railroad Co. They have left their homes in the States and are working for the Government down near the Equator, where the Government is operating this great project, and where living conditions are not what they are in the United States. Those who have to work in the Tropics are subjected to all the dangers and the adverse conditions that are peculiar to tropical climate.

The death rate there is higher than in the United States, and the influence of the climate is such that it is necessary for our white employees who go down there with their families to return to the States periodically for rest and a change of climate. Our employees down there have to sever their business and other connections in the States and live under conditions which are not as favorable as they are in the States. The committee believes that our employees working in the Canal Zone ought to receive somewhat larger annuities upon retirement than do the Government employees who can live in their own homes in the United States.

But there is a very important question of policy involved in this legislation which makes it very important to the Government that the bill be passed as soon as possible. One serious question that is confronting the administration officials of the Canal Zone is what to do with the retired employees. We are now reaching the time when some of our employees there will be retired. What are we going to do with them? Most of them have been living in the Canal Zone for from 15 to 25 years. They have become more or less acclimated. They have their families there and their children may be working for the Government there. We do not have sufficient housing to take care of the necessary employees of the Government.

There are two courses that are open for the Government to follow. One is to ask Congress for increased appropriations and enter upon a building program to provide houses for employees who have retired from actual service. This will involve large expenditures from the Treasury. The other course is to compel all employees upon retirement to return with their families to the United States.

Obviously it will be a hardship upon old men and women who have worked long years in the warm climate of the Canal Zone to leave and return to the United States. After having been gone from the States for from 15 to 25 years. they have no home connections or business connections in the States. They have to go back and make new homes among strangers. It seemed to the committee obvious that if the Government adopts the policy of requiring retired employees to move back to the States, they should be allowed somewhat larger annuities than are allowed to Government employees who have the opportunity of living in their own homes and under more favorable conditions in the States after their retirement. After very careful consideration the Government officials on the zone have decided to follow the policy of requiring these retired employees to move back to the States immediately after they retire, and they have urged Congress to provide a retirement system for our employees on the zone that would allow annuities sufficient to enable the employees to return to the States and reestablish their homes here. Since the employees are willing to themselves contribute 5 per cent of their wages or salaries to the retirement fund, the committee believed that this legislation would not only be better and more just to the employees themselves but equally better and more advantageous to the Government.

The last three Governors of the Canal Zone have urged the enactment of this legislation. The employees who live down there have been looking forward to it for years. They have no votes and they have no representative in Congress. They must depend upon the committees of the House and Senate to study their conditions and provide the legislation that they need. The Committee on Interstate and Foreign Commerce has given long and careful study to this subject and has unanimously reported this bill, and believes that its enactment will contribute materially to the welfare, the contentment, and the efficiency of our employees in the Canal Zone, as well as to greater economy and efficiency of the government of the Canal Zone.

Mr. Speaker, I reserve the balance of my time.

Mr. LaGUARDIA. Mr. Speaker, this bill provides for retirement of employees of the Panama Canal and the Panama Railroad, and it is very interesting that it should come up to-day, right after the discussion we had yesterday. My memory is still fresh on the many allusions which were made, always evoking applause, to the inefficiency and the wastefulness of Government operations.

Here you have a typical Government-operated business, the Panama Railroad steamships running in competition with private steamship companies, and you have also the Panama Railroad and a department store, one of the largest department stores, I may say, certainly south of the United States, and one of the biggest department stores in the world.

Mr. JOHNSON of Washington. Oh, no.

Mr. LaGUARDIA. Oh, the gentleman does not know the

Mr. JOHNSON of Washington. It is a pretty good sized store, but that department store itself makes trouble with the Government at Panama, and only a few thousand people live within the whole range of that department store.

Mr. LaGUARDIA. Is the gentleman advocating abolishing that department store?

Mr. JOHNSON of Washington. Oh, I think not, if it is necessary for the United States employees.

Mr. LaGUARDIA. Of course not. Here is this department store in competition-

Mr. JOHNSON of Washington. I am not so sure but what I would object to certain sales to American travelers being made at that store of goods that are brought to the United States tariff free legally. Haviland china, fine silks, table linens, and things of that sort, on which we have tariffs. That might be a good reason for objecting to it.

Mr. LaGUARDIA. The gentleman has registered his objection to that.

Mr. DENISON. Of course, the gentleman knows there is no competition on the Canal Zone, because there is no other business conducted on the Canal Zone except by the Gov-

Mr. LAGUARDIA. But across the street is the city of Panama, and there are stores of all kinds, as the gentleman from Washington suggests.

Mr. JOHNSON of Washington. And a number of them are run by Hindus who have got into old Panama, and now they can not get rid of them, even though that Government is trying to prevent others from coming in.

Mr. LAGUARDIA. Because they have not the benefit of the gentleman from Washington writing their immigration

Mr. JOHNSON of Washington. That is right; thanks. [Laughter and applause.]

Mr. LaGUARDIA. This department store is managed and operated not only efficiently but very economically, and the steamship company is one of the best operated and managed companies flying the American flag [applause], although it meets with all sorts of obstacles put in its way. However, with all this, they can meet the competition and still operate at a profit.

Mr. THATCHER. Will the gentleman yield to me?

Mr. LaGUARDIA. Yes. Mr. THATCHER. Ought we not to have another Panama steamship in that service?

Mr. LaGUARDIA. Yes; and they have the money. I am sure the gentleman from Illinois [Mr. Denison] will bear me out in the statement that they have a surplus, and this surplus is dissipated from time to time for purposes entirely outside of the steamship business or the railroad business. They ought to have another ship, but they are purposely kept down, and with all that I say they are operating so efficiently and economically as to operate on a profit and a very substantial one.

I wish the gentlemen who were here yesterday throwing stones at all sorts of Government operations would just look at the financial statement of this company.

Mr. GIBSON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. GIBSON. May I remind the gentleman that the Panama Canal itself, a Government project, is operated

Mr. LaGUARDIA. Yes; and it was built by the Government. It amused me yesterday when my friend, the gentleman from Massachusetts [Mr. TREADWAY], got up here and with great indignation opposed Government operation, the Government competing with business; but I remember when some of his friends in Massachusetts went into the canal business and could not make a go of it, they then dumped it on the United States and made it a Government operation. I did not hear the gentleman from Massachusetts protesting at that time.

Mr. COLE. The Canal Zone is operated by the United States Army or by the War Department, and they are doing it well.

Mr. LAGUARDIA. The engineers of the Army are very efficient.

Mr. COLE. And yet we hear statements made that the Army is extravagant and wasteful.

Mr. LaGUARDIA. The Military Establishment is costly. When they are not producing, of course, it is costly; they can not help that. But in every job they are assigned to they have performed it very well.

Mr. COLE. I think well of the Army operations myself, but I wanted to get the gentleman's opinion.

Mr. LaGUARDIA. In all likelihood we may have the Army down to Muscle Shoals.

Mr. COLE. I hope not.

Mr. LAGUARDIA. I hope so. If they go there, they will do a good job.

Mr. COLLINS. The gentleman from Iowa does not seem to know that the Canal Zone is not being run by the Army.

Mr. COLE. By the War Department.

Mr. COLLINS. No.

Mr. DENISON. The canal government is run by the President. He is authorized to designate an agency and he designated the Secretary of War.

Mr. LAGUARDIA. And the Secretary of War usually has designated an Engineer officer as governor.

Mr. COLE. The War Department operates that zone.

Mr. LaGUARDIA. Yes; and anything that is operated for the benefit of the public you can always depend on any branch of the Government doing it efficiently and successfully. Of course, if you take something that a private corporation can not operate successfully, that is different. In one case many opponents of Government operation came here and stated that the Government had to establish the Inland Waterways Corporation. They must have tugboats and barges. Private business could not do it at a profit, so the Government had to do it. We gave them an appropriation. Then they increased the capital stock of the corporation and then again they said that this business is a bad thing; it can not be operated at a profit. So the Government went into it and found that the Government could do the job very well. So the law was changed to provide that as soon as a profit was had the corporation must be given over to private operation. Yet Government operation is criticized on the floor of this House.

Mr. COLE. The gentleman from New York does not seem to be in any hurry about the matter under consideration.

Mr. LaGUARDIA. Yes; I am.

Mr. COLE. I thought the gentleman might have some ulterior purpose.

Mr. LaGUARDIA. I never have any; I am going to resent that and stop right away. [Laughter.]

Mr. COLE. I will say that if the gentleman has an ulterior purpose I might be willing to help him out.

Mr. LaGUARDIA. No; seriously, I wanted to point out the inconsistency of many gentlemen on the question of Government operation. I am glad the gentleman from Illinois got up and advocated this bill. If the United States Government can operate a steamship company and a railroad and a canal and a department store, why, surely a State or a municipality can operate a bridge.

Mr. DENISON. I want to say in that connection that I have made a study for a number of years of the whole project of the Panama Canal operation. I think it is one outstanding example of efficient, economical Government operation, the greatest example I know of.

Mr. LaGUARDIA. After what has been said by the gentleman from Iowa and the exhaustive statement by the gentleman from Illinois, I yield the floor.

Mr. DENISON. Mr. Speaker, I yield three minutes to the gentleman from Kentucky [Mr. THATCHER].

Mr. THATCHER. Mr. Speaker, the gentleman from Illinois [Mr. Denison], whose committee has had this bill under consideration, has explained its general provisions to the effect that the retirement laws of continental United States are laid down and adjusted to the conditions existing on the Isthmus of Panama. In my judgment no more meritorious bill could come before this body for consideration. I believe the thanks of Congress and the country generally are due the committee, and especially to the gentleman from Illinois for the exhaustive study thus made of the subject, and for the excellent bill that has been brought here for consideration. The Panama Canal and the Panama Railroad employees did a great job during the construction days of the canal. The construction constituted the greatest industrial enterprise in all history; and it was carried through with marvelous efficiency. The canal, to-day, is functioning with the smoothness of a Swiss watch. I join in a tribute to Col. Harry Burgess, the present governor of the canal, who is doing a splendid piece of work in handling the affairs of the canal; and I am glad, also, to pay my tribute to the men who will be the beneficiaries under this legislation. The bill is highly meritorious, and I am very happy to be able to aid in its passage. Some of the beneficiaries will be those who served in the canal and railroad work during the period of the construction of the great waterway, when I had the privilege of official service in that connection. Hence, I am very grateful for the opportunity which to-day is mine to vote for a measure that will accord them-and the subsequent isthmian workers, as well-the benefits which they have so richly earned. No finer body of employees was ever assembled than that which dug the great "ditch"; and in the force there to-day operating the canal and the railroad, the same high spirit carries on. In passing this measure we are discharging a long-delayed and most sacred obligation.

Mr. McCORMACK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. THATCHER. Yes.

Mr. McCORMACK of Massachusetts. Can the gentleman state definitely whether or not these men, these employees of the railroad, are for all practical purposes in the employ of the Federal Government?

Mr. THATCHER. For all practical purposes they are. Mr. COLLINS. Mr. Speaker, will the gentleman from

Illinois yield?

Mr. DENISON. Certainly.
Mr. COLLINS. How much above the ordinary rates are the rates carried in this bill?

Mr. DENISON. Twenty-five per cent, the same as their rate for wages.

Mr. COLLINS. I had understood that the rates were higher than that.

Mr. DENISON. Not at all, except in this respect: The bill carries a special provision for the benefit of the oldtimers, as they are called, who went down to the Canal Zone and worked under the very unhappy conditions that existed during the construction days. A few of those employees are left. The Government years ago made special provision for the officers of the Army and the Navy and the Public Health Service who worked down there during construction days, who made sacrifices by remaining and working there under very unhealthful conditions. We advanced their rank and their pay as a reward for what they did. President Roosevelt recommended that we do the same for the other men who made the same sacrifice in working down there in construction days, when it was not healthy. This bill carries a slight recognition in favor of those few remaining men who worked there during construction days.

Mr. EATON of Colorado. If the gentleman will permit, this is the answer to his question. Instead of 31/2 per cent it is 5 per cent of their wages that the employees con-

Mr. COLLINS. I understand that; but how much above the 25 per cent do these men receive?

Mr. DENISON. Thirty-six dollars a year for each year they worked during construction days.

Mr. COLLINS. And of course the gentleman knows that at President Roosevelt's suggestion the Army officers who were employed there were given credit for that time, but that the physicians in the Army that were employed on that work were not given credit for that time.

Mr. DENISON. I did not know that.

Mr. COLLINS. I understand that is the case.
Mr. DENISON. The public health officials were.
Mr. COLLINS. The physicians in the Army, I am advised,

Mr. DENISON. I did not know that. President Roosevelt recommended that some kind of recognition be given to the men who helped dig the ditch, and so did General Goethals; but we have never gotten to it and this is the first time that we have had an opportunity to do what we ought to have done years ago for the men who made those sacrifices.

Mr. COLLINS. Then, with the exception of these men, none of the others will receive more than 25 per cent in excess of the amount received by other employees of the Government? They are the only exceptions above the 25 per cent?

Mr. DENISON. The Panama Canal act of 1912 provides that the employees working on the canal shall receive 25 per cent above what is paid for similar employment in the

Mr. COLLINS. Does the gentleman not think that the reason for that rule is over?

Mr. DENISON. Oh, not at all. The conditions in the zone are such that the health officials recommend the employees to take a vacation at least every two years, with their families.

Mr. COLLINS. They are paid for that time?

Mr. DENISON. Not at all.

Mr. COLLINS. They are allowed leave? Mr. DENISON. Of course. They are allowed 30 days' leave of absence with pay each year.

Mr. COLLINS. They are allowed 60 days per year. Mr. DENISON. Not at all. They have 30 days' leave with pay, and they can allow that to accumulate, and every two years they will have 60 days, but that does not pay their own expenses or for taking their families away for two months or more.

Mr. COLLINS. And they can travel on Government steamship lines at a reasonable fare.

Mr. DENISON. Oh, I have talked with many of them and I find that it costs them very much to bring their families back to the States for vacations.

Mr. COLLINS. What are the maximum rates carried in

Mr. DENISON. There is no maximum rate. The highest rate for the Government is \$1,125 a year.

Mr. COLLINS. There are those who will receive a larger amount than that.

Mr. DENISON. Oh, yes; depending upon their salaries and adding the earnings accruing from their own contributions.

Mr. COLLINS. What will be the maximum rate?
Mr. DENISON. I think the highest rate that can be drawn under this bill is \$2,750 a year.

Mr. STAFFORD. Mr. Speaker, will the gentleman in his time permit me to ask whether the provisions of the bill apply to employees of the Panama Canal Steamship Line which was formerly operated as an adjunct of the Panama Railroad Co.?

Mr. DENISON. It applies to those working on the steamships, but it does not apply to any employees working in the United States. It does not apply to any canal employees living in the United States or who have an office in the United States. It does not apply to anybody unless they are working in the Tropics.

Mr. STAFFORD. Does it apply to some of those who are employed on the Panama Canal steamship lines operating between New York and the Canal Zone?

Mr. DENISON. No; not unless they work in Panama.

Mr. STAFFORD. This is one of the bills which I did not have an opportunity to study carefully. What additional provisions are being made as to the old-time employees who went there to construct the canal, back in 1909 and 1910, in the early days of the canal?

Mr. DENISON. In addition to their annuity allowed under the law, each one will be allowed \$36 a year for each year's service during the construction days between 1904 and 1914.

Mr. STAFFORD. But they had to be in the employ of the Isthmian Canal Commission at the time?

Mr. DENISON. Yes.

Mr. STAFFORD. It has no other retroactive features granting pay to those who, at the present time, are retired from service?

Mr. DENISON. No.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. Denison] to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

PLATTSBURG BARRACKS, PLATTSBURG, N. Y.

Mr. JAMES of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 15071) to authorize appropriations for construction at Plattsburg Barracks, Plattsburg, N. Y., and for other purposes.

The SPEAKER. The gentleman from Michigan [Mr. JAMES | moves to suspend the rules and pass the bill (H. R. 15071), which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appro-Be it enacted, etc., That there is hereby authorized to be appropriated not to exceed \$150,000 to be expended for the construction of a gymnasium, service club, theater, and library, at Plattsburg Barracks, Plattsburg, N. Y., and such utilities and appurtenances thereto as, in the judgment of the Secretary of War, may be necessary to replace the building destroyed by fire in 1917, and the temporary building that was destroyed by fire in 1930.

The SPEAKER. Is a second demanded?
Mr. COLLINS. Mr. Speaker, I demand a second.

Mr. JAMES of Michigan. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Without objection, it is so ordered. There was no objection.

Mr. JAMES of Michigan. Mr. Speaker and ladies and gentlemen, this is a very important bill. Up to 1917 there was a drill hall at Plattsburg owned by the War Department. At that time it was burned. There was a community building, built by the Young Men's Christian Association. and the citizens of Plattsburg and the Army could use that for a recreation hall and drill barracks. In December last year that building was burned and there is no other place for a community center or drill hall or anything of that nature. The membership are all acquainted with the climate of Plattsburg. It is necessary to have a building in which to drill. The committee unanimously reported this bill, which has the approval of the War Department.

I reserve the balance of my time, Mr. Speaker.

Mr. COLLINS. I would like to ask the gentleman some

This bill seems to be for the construction of a gymnasium, service club, theater, and library. Is this building to be used for any purpose other than those purposes mentioned?

Mr. JAMES of Michigan. Only for the purposes mentioned in the bill.

Mr. COLLINS. Just for those purposes? Mr. JAMES of Michigan. Service club, theater, library, and gymnasium, which also means a drill hall.

Mr. COLLINS. A drill hall?

Mr. JAMES of Michigan. Yes.

Mr. COLLINS. I see no mention of "drill hall" in the

Mr. JAMES of Michigan. That is the only place they

Mr. COLLINS. How many troops are quartered at Plattsburg?

Mr. JAMES of Michigan. About 1,000 troops.

Mr. COLLINS. The gentleman does not think that \$150,000 will provide sufficient funds for doing all the things contemplated in the bill, does he?

Mr. JAMES of Michigan. The gentleman is very much convinced that it will.

The SPEAKER. The question is on the motion of the gentleman from Michigan to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was

CONVICT LABOR IN INDUSTRY

Mr. HAWLEY. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 16517) to prohibit importation of products of convict labor and forced labor, to protect labor and industry in the United States, and for other purposes, with an amendment.

The SPEAKER. The gentleman from Oregon [Mr. HAWLEY] moves to suspend the rules and pass the bill H. R. 16517, with an amendment. The Clerk will report the bill. The Clerk read the bill, as follows:

Be it enacted, etc., That all goods, wares, articles, and merchandise mined, produced, manufactured, transported, handled, loaded, or unloaded, wholly or in part, in any foreign country by convict labor, or/and forced labor, or/and indentured labor under penal sanctions, shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision. The provisions of this act relating to goods, wares, articles, and merchandise mined, produced, manufactured, transported, handled, loaded, or unloaded by forced labor or/and indentured labor, shall take effect on April 1, 1931, and shall remain in full force and effect until Congress provides otherwise, but shall not be applicable to goods, wares, articles, or shall remain in full force and effect until Congress provides otherwise, but shall not be applicable to goods, wares, articles, or merchandise so mined, produced, manufactured, transported, handled, loaded, or unloaded which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States.

"Forced labor," as herein used, shall mean all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself statements."

himself voluntarily.

In any proceeding under or involving the application of any provision of this act reports and depositions of officers or agents of the United States shall be admissible in evidence.

The SPEAKER. Is a second demanded? Mr. RAMSEYER. I demand a second.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Without objection, it is so ordered. There was no objection.

The SPEAKER. The gentleman from Oregon [Mr. HAWLEY] is recognized for 20 minutes and the gentleman from Iowa [Mr. Ramseyer] is recognized for 20 minutes.

Mr. HAWLEY. Mr. Speaker, ladies and gentlemen of the House, the purpose of this bill is to protect the free American labor of this country from convict, forced, or indentured labor employed in the course of production abroad.

In this country there is free labor. That is, that every citizen can choose his occupation, the place and time where he will engage in it, and agree upon the compensation he is to receive. We do not believe that our free labor should be brought into competition or forced into competition with the nonfree labor of other countries of the world, and for the reason that this bill is so based, all labor and its organizations in this country are very earnestly advocating its passage.

The bill is the present law with three changes. In the course of the manufacture and distribution of commodities there is transportation, handling, loading, and unloading; and because they are necessarily a part of the general course of commerce those four words have been added to cover all the operation in the manufacture and distribution of commodities. Our labor is employed in all of those ac-

The second amendment is to advance the date from January 1, 1932, to April 1, 1931. The purpose of that is to bring into more speedy operation the operation of the present law.

The third amendment is the last paragraph. We have found great difficulty, if not impossibility, in obtaining information from certain countries. Under the ordinary course of our importations, if the Treasury of the United States is in doubt about any fact concerning a particular import, its value, its character, cost of production, character of labor employed, and various other items, we have the right and the privilege of sending to the country in question our agents to obtain the facts. But in some countries we are not permitted that privilege or opportunity. The latter paragraph provides that-

In any proceeding under or involving the application of any provision of this act reports and depositions of officers or agents of the United States shall be admissible in evidence.

At present these are not admissible as evidence in the court. This will, in a measure, enable our Government to carry out the mandate of the law and to supply evidence that may be receivable in court to determine questions arising under the law.

As I said a moment ago, this is the existing law, with three amendments. The second amendment would have been carried in the law had it not been for the condition of the conference when the tariff act was under consideration. The Senate conferees were advised by their parliamentarian that they could not agree to any earlier date than the one in the existing law. It was believed that the date we have proposed should have been put in and it would have been put in at that time had the parliamentary situation in the Senate permitted its insertion.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. HAWLEY. Gladly.

Mr. LaGUARDIA. I can readily understand how these facts can be ascertained concerning any country with which we have relations, simply by sending our representatives there, but how will these facts be ascertained in order to determine whether or not these goods come under any of the prohibitions contained in the law?

Mr. HAWLEY. We have consular agents, commercial agents, and diplomatic agents in all countries of the world except a few, and these officers can get in contact with persons and officials and ascertain from them what they believe to be the facts, certify that their investigation shows them to be the facts, and that will, in a way, enable us to receive evidence on the subjects involved in the bill.

Mr. LaGUARDIA. Would it not have been possible to write into the law a provision that any country exporting to the United States would have to give our customs representatives the right to ascertain these facts, regardless of whether they are recognized or not?

Mr. HAWLEY. I think the State Department was of the opinion that we could not do that without tacitly recognizing that country.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. HAWLEY. I yield.

Mr. COCHRAN of Missouri. Does the gentleman feel that pauper labor is covered by the terms of this bill?

Mr. HAWLEY. The descriptions of labor are convict | labor, which we understand; forced labor, which is defined in the bill; and indentured labor, which is contract labor.

Mr. COCHRAN of Missouri. My reason for asking is that about 1914, when I was secretary to the late Senator Stone. of Missouri, he introduced a resolution in the Senate providing that our consular agents abroad should make reports on what they found in the various countries to which they were assigned as to the activities of convict labor, pauper labor, and so forth. The war broke out and those reports were slow in coming in, and if I am not mistaken I have those reports in my possession to-day. Some of the reports showed that a great mass of goods was being shipped into this country made by convicts and paupers in foreign countries in competition with our free labor. I am absolutely in favor of the passage of this bill, the thought originating in the mind of Senator Stone, of Missouri, back in 1914.

Mr. MONTET. Will the gentleman yield?
Mr. HAWLEY. Yes.
Mr. MONTET. I am wondering if the gentleman will explain why the committee did not deem it advisable to make this prohibition apply to all industries alike. I call the gentleman's attention to the last section of the first paragraph of the committee amendment, which reads as follows:

But shall not be applicable to goods, wares, articles, or merchandise so mined, produced, manufactured, transported, handled, loaded, or unloaded which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States

Mr. COLLINS. Mr. Speaker, this is a very important measure and I suggest the absence of a quorum.

The SPEAKER. Evidently there is not a quorum present. Mr. HAWLEY. Mr. Speaker, I move a call of the House. Mr. RAMSEYER. Mr. Speaker, I move that the House do now adjourn.

The motion was rejected.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 35]

Johnson, S. Dak. Pratt, Harcourt J. Johnston, Mo. Pratt, Ruth Ransley Abernethy Douglass, Mass. Aldrich Doutrich Andresen Doyle Drewry Kahn Kearns Beck Romiue Bell Edwards Elliott Kendall, Pa. Rowbottom Sabath Bland Kennedy Schafer, Wis. Short, Mo. Bloom Ellis Kerr Brand, Ohio Estep Kiefner Evans, Mont. Korell Brunner Sirovich Sirovich Somers, N. Y. Spearing Sproul, Ill. Stevenson Buchanan Fenn Kunz Burdick Fish Langley Larsen Lea, Calif. Leech Fitzpatrick Busby Garrett Gavagan Butler Stobbs Carley Carter, Calif. Celler Stone Sullivan, N. Y. Gifford Lindsay Golder Graham Linthicum Sullivan, Pa. Sumners, Tex. Chase Loofbourow Chiperfield Christopherson Granfield Hall, Ill. McClintic, Okla. McCormick, Ill. Swick Taylor, Colo. Thompson Thurston Clague Clark, Md. Clark, N. C. Hall, Miss. Mansfield Halsey Hancock, N. Y. Hancock, N. C. Menges Michaelson Montague Moore, Va. Nelson, Wis. Newhall Connolly Timberlake Cooke Tinkham Cooper, Ohio Hartley Tucker Corning Coyle Haugen Hickey Hill, Wash. Underhill Niedringhaus Watson O'Connor, La. O'Connor, N. Y. Palmisano Craddock White Whitehead Cross, Tex. Crowther Hoffman Holaday Whitley Williams Wolfenden Hudspeth Hull, William E. Hull, Tenn. Cullen Parks Dickinson Perkins Woodrum Dickstein Pittenger Johnson, Ind. Douglas, Ariz. Pou Zihlman

The SPEAKER. Two hundred and ninety Members present, a quorum.

On motion of Mr. Tilson, further proceedings under the call were dispensed with.

Mr. HAWLEY. I will conclude the remarks I was making with this statement: The officers of the Treasury in charge of customs have given the matter very careful attention, and they say the three amendments proposed in this bill are necessary, practicable, and will be of great value in the administration of the act. This bill will not prevent the

importation of rubber, tea, coffee, and articles not produced here.

Mr. Speaker, I reserve the balance of my time.

Mr. RAMSEYER. Mr. Speaker, ladies and gentlemen of the House, if I may have your attention a few minutes, I want to explain to you what is before us. This is a makebelieve bill. It is not going to accomplish anything that can not be accomplished under existing law. Furthermore, it has a provision in it which, I think, is unjust and inequitable to our traders.

In the next place, it has two provisions in it that I shall come to presently that the learned chairman of the Ways and Means Committee and no other member of the Ways and Means Committee can tell you what they are or what they mean.

We have in the present tariff law section 307, which deals with convict, forced, and indentured labor.

The provision as to convict labor is not new. It has been a part of our law for many years, and that is that goods produced or manufactured by convicts can not come into the country. The present law adds the words "mined" so that goods mined or produced or manufactured can not come into this country under the tariff act of 1930.

If you have the report on this bill before you, you will see that the bill proposes changes in section 307, and the last page of the report gives the comparative print and the following words are added, "transported, handled, loaded or unloaded," to "mined, produced, manufactured"; to the addition of these new words there is no objection.

The convict-labor part of the bill is in effect now; that is, with respect to goods produced by convicts. Such goods are excluded and have been excluded for many years.

The terms "forced labor" and "indentured labor" were new in the tariff act of 1930, so under this act the provision excluding goods manufactured, mined, or produced by forced or indentured labor was not to go into effect until January 1, 1932. We have a somewhat definite idea about what indentured labor is, but I repeat that there is no person on the Ways and Means Committee who can give any understandable definition of forced labor; and if the chairman of the Ways and Means Committee can get up here and define "forced labor" I will let him do it in my time. Nobody seems to know what it is and the definition in the law does not define anything, as I will show you presently.

Now, the chief thing that this bill does is that it changes the date with respect to the time after which goods produced by forced and indentured labor shall be excluded from this country from January 1, 1932, to April 1, 1931.

This does not only apply to Russia but it applies to all the world. Russia has no indentured labor. The indentured labor is employed in the Orient and in the Tropics, from which we get many things that we need in this country.

Our traders who buy or import goods from countries that have indentured labor, depending on the law going into effect on January 1, 1932, have already made arrangements that the labor after January 1, 1932, should not be indentured labor, so that the goods may come in here. A lot of contracts have been made for this year. So if there is any forced or indentured labor existing in any part of the world used in producing the goods imported into this country, the contracts for such goods for this year have already been made, and this fixing the exclusion date at January 1, 1932, which is the date after which such goods can not be imported, placed the traders on their guard, and they must see to it that the imported goods after that date are produced by labor other than forced or indentured.

This changing of the date, I think, is not only unfair but is dishonest to our American citizens who import products that are needed here, but which happen to be made by forced or indentured labor. These traders acted in good faith, relying on the effective date set by Congress at January 1, 1932. I am just as much opposed to forced and indentured labor as anybody, but Congress should be fair and honest with our citizens who engage in foreign trade.

We come now to this definition of forced labor. Some one asked the gentleman from Oregon [Mr. HAWLEY] when he was on the floor here, what is forced labor, and the gentleman said that that is defined in the bill. Let me read you what the bill says:

"Forced labor," as herein used, shall mean all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily.

I asked every witness before the committee his definition of forced labor, or just what that provision I just read meant, and I think probably the gentleman from New York [Mr. Fish] came as near defining forced labor as anybody. I asked him what is forced labor when he was discussing that question before our committee, and he said, "Forced labor is labor that is not free." Then I asked him what free labor is, and he said, "Free labor is labor that is not forced." [Laughter.]

Mr. HAWLEY. Will the gentleman yield?

Mr. RAMSEYER. I will.

Mr. HAWLEY. This language to which the gentleman refers is now in the law and will be the law if the bill should not be passed. So it is not an issue at this time.

Mr. RAMSEYER. It is an issue, only in this respect: Some Members may think that they are voting something to benefit labor, when in truth and in fact they are not. When they vote to push up the date on forced labor—a form of labor that the committee can not define-they do not help our labor, but they do harm our traders.

Now as to indentured labor. Let me tell you what indentured labor is, such as they have in the Orient and the Tropics. That is where a man signs a contract, selling himself for a certain period of years for a certain fixed feemaintenance, support, and so forth, for a fixed period of years. That is indentured labor. That is a term pretty well recognized in the law. The term "forced labor" is not recognized in the law, no court decision has defined it, and as defined here in this bill nobody knows what it means. I repeat that neither the chairman of the Ways and Means Committee nor any member of the committee has the least idea of how this law attempting to define forced labor should be construed by the administrative officials.

When the Assistant Secretary of the Treasury Lowman was before our committee I asked him this question:

Now, define what is meant by "the menace of any penalty for its nonperformance.

Mr. Lowman is the fellow who has got to administer the Mr. Lowman said, "I do not know what that means, I would like to have you tell us."

Up to date nobody has told him, and nobody can tell him, and I challenge anyone who speaks for the bill, who thinks that he is helping labor by this provision to get up and define forced labor or give the meaning of the definition in the law.

Mr. JOHNSON of Washington. I will define it.

Mr. RAMSEYER. I have asked the members of the Ways and Means Committee to define it.

Mr. JOHNSON of Washington. I believe the word means conscripted labor-that is, labor of those who are drafted as if drafted into the Army to do what the commander tells them or starve.

Mr. RAMSEYER. That is not the definition in the bill. The way it is defined here is that it means all work or service which is exacted from any person under the menace of any penalty for its nonperformance. Neither Secretary Lowman nor anybody else in the Treasury Department has the least idea of what it means.

Mr. BANKHEAD. Will the gentleman yield? Mr. RAMSEYER. I yield.

Mr. BANKHEAD. The chairman of the committee says that the language that the gentleman is criticizing is in existing law. When was it written into existing law?

Mr. RAMSEYER. In the present tariff act.

Mr. BANKHEAD. Did the gentleman vote for it?

Mr. RAMSEYER. It was put in in conference and escaped my attention.

Now, there is another addition to the law here. Here for the first time in the history of the country we have in the last paragraph in the bill this provision:

In any proceeding under or involving the application of any provision of this act reports and depositions of officers or agents of the United States shall be admissible in evidence.

There is nothing like it in existing law. The chairman seemed to think that that would apply to cost production of anything that comes in under the tariff act.

Mr. HAWLEY. No; I did not make that statement. It applies only to what is in this bill.

Mr. RAMSEYER. All right, then I misunderstood the chairman; that is out of the way. Let me repeat:

Reports and depositions of officers or agents of the United States shall be admissible in evidence.

That makes competent in evidence in any lawsuit involving this act reports of officers. It does not say whether they are officers of the Treasury Department, or officers specially designated to investigate such a situation, but the report of any officer with any department of the Government can be admitted as competent evidence, without opportunity for cross-examination. Of course depositions have always been admissible in any lawsuit if gotten in compliance with law, but a deposition gotten for one case can not be used in another case. I think the person who wrote this provision probably meant affidavit instead of deposition, but as it is here it is meaningless and does not help out anything. This provision is either vicious or meaning-

Mr. Speaker, I reserve the remainder of my time. I yield five minutes to the gentleman from Michigan [Mr. CLANCY].

Mr. CLANCY. Mr. Speaker, former Vice President Marshall achieved a great deal of fame when he said that what the country needs is a good 5-cent cigar. In this period of discontent and distress, if this amendment be passed you will deprive the country of a good 5-cent cigar, because all cigar manufacturers outside of a few in the Southeast agree absolutely as experts that the best 5-cent cigar can not be made without a Sumatra wrapper. What the gentleman from Iowa [Mr. RAMSEYER] said, that this bill is not keeping faith with legitimate industry, is true. When the Smoot-Hawley tariff bill was enacted, notice was given to legitimate industry that the indenture labor provision would not go into effect until the first of next year, January 1, 1932.

This bill puts that indenture labor clause into effect almost immediately, April 1, 1931. It cuts down the period nine months so that the contracts which these people have made will be nullified; they will be left in the lurch with indentured crops on their hands. It throws out of business immediately 200 employees in one cigar factory in my district in Detroit and in many others in Detroit and throughout the country. Innocent people will suffer a very definite loss. That is true of the Sumatra tobacco business. They went forward in good faith.

After the first of next year they will produce the Sumatra crop with free labor. There is going to be nothing indentured about it and there will be no suspicion about it.

To prove that the Ways and Means Committee did not know just what effect this bill will have, as has been alleged by the gentleman from Iowa [Mr. RAMSEYER], I cite you the fact that the Treasury Department is holding hearings today to clarify and determine just what the bill does mean, and what these gentlemen promise you is this: That if you take the bill as it goes through here to protect the manganese people and the lumber people and to hit at Russian Soviet business, then, if the Treasury Department sees that it interferes with other legitimate business, they may amend the bill in the Senate.

Mr. LEHLBACH. Will the gentleman yield?

Mr. CLANCY. No; I regret I can not yield. I have not the time. What is true of the Sumatra tobacco business may also be true of the rubber business. When the Blaine indentured labor amendment was put through in the Senate recently they did not know that immediately they destroyed a \$30,000,000 investment of the United States Rubber Co., of Detroit, alone, in Siam. They did not know that they made it impossible to bring here such basic and necessary drugs as quinine and camphor and many other products. So the Blaine amendment was amended so as to protect rubber and drugs. I led that battle. We have the Sumatra tobacco industry crippled, but we do not know now whether the contracts on drugs and the contracts on rubber and other products will lead to a loss of millions or not. Everyone knows that Henry Ford went into the Tropics in Brazil to go into the rubber business. You all know that he is having trouble with his labor. Americans do not understand labor in the Tropics. If the people there get a few dollars they quit, and the crop is ruined. Indentured labor is a necessity. I ask the chairman of the Committee on Ways and Means to explain just what is in the minds of the committee, whether it is to hit at lumber and manganese importation, and to go into a Temperate Zone such as Russia, and whether it is also the intention to destroy legitimate American business in the Tropics.

I insert the following letters and lettergrams:

DETROIT, MICH., February 20, 1931.

Hon. ROBERT H. CLANCY Congressman, Washington, D. C .:

Seriously object to embargo on Sumatra tobacco. Will ruin 80 per cent of the cigar business, as there is no wrapper grown in this country that will satisfactorily substitute.

FRED P. CHILD. Sales Manager, General Cigar Co.

DETROIT, MICH., February 21, 1931.

DETROIT, MICH., February 21, 1931.

Hon. Robert H. Clancy,

Member of Congress:

We seriously object to prohibiting importation of Sumatra wrapper at this time, as it will ruin the 5-cent cigar, which constitutes about 70 per cent of the cigar business. In our 50 years' experience as cigar jobbers we can not recall any 5-cent cigar having attained any volume of business that was made exclusively of domestic tobaccos. Consumers are demanding a good 5-cent cigar, and to make it good Sumatra wrapper must be used. Will appreciate anything you can do to defeat this bill.

JOHN T. WOODHOUSE & Co. (INC.).

JOHN T. WOODHOUSE & Co. (INC.).

DETROIT, MICH., February 21, 1931.

Hon. ROBERT H. CLANCY.

Congressman:

The measure to prohibit importation of Sumatra wrappers for cigars will seriously effect the cigar business of our country; a business which is at a low ebb and tottering now. Your best offices to defeat this bill will be of great help to the industry as well as its many workers.

THE DETROIT INDEPENDENT CIGAR DEALERS' ASSOCIATION. By HERMAN LIEBERMAN, Treasurer.

DETROIT, MICH., February 21, 1931.

Hon. Robert H. Clancy, House Office Building:

Bill prohibiting importation convict-labor goods has not been considered by board of commerce officially, but wholesalers, including cigar manufacturers, strongly opposed to bill. tinue study of its effects, advising you. Will con-

DETROIT BOARD OF COMMERCE. L. G. MACOMBER.

DETROIT, MICH., February 20, 1931.

Congressman Robert Clancy, United States Congress, Washington, D. C.:

If the Kendall bill proposing placing embargo on Sumatra to-bacco April 1 passes it will be ruinous to the cigar industry and would deprive over 200 of our employees of work in our factory. Would suggest allowing entry of Sumatra up to December 31, 1931, as we have assurance that the crop following the present one will be raised by free labor in the Dutch East Indies. Kindly use your best effort to have same amended.

SPIETZ CIGAR Co., Per Charles J. Spietz.

BAY CITY, MICH., February 19, 1931.

Hon. ROBERT H. CLANCY.

United States Congressman, Washington, D. C.

DEAR CONGRESSMAN: A bill has been passed through the Ways and Means Committee and is now before the House of Representatives, known as House bill No. 16517 as amended. It refers to section 307 of the tariff act of 1930, and proposes to move forward the effective date of embargo on Sumatra tobacco raised by inden-

tured labor from January 1, 1932, to April 1, 1931.

We very strongly protest against the enactment of this bill on the ground that there is not sufficient wrapper in this country

now to carry the cigar manufacturers through until the next crop of Sumatra is raised by free labor. We have assurances that the crop following the present one is to be raised by free labor in the island of Sumatra.

Therefore, if the date is moved forward it will cause immediate disaster to the cigar business, which would be avoided if the effective date of this bill remains as it was in section 307 of the tariff act of 1930, or if an amendment could be attached to this bill permitting the importation of Sumatra tobacco up to December 31, 1931.

We respectfully ask your cooperation in helping to protect the cigar-manufacturing interests of your State.

Respectfully yours,

THE HEMMETER CIGAR CO. HERBERT S. HEMMETER.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. HAWLEY. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. COLLIER].

Mr. COLLIER. Mr. Speaker, ladies and gentlemen of the the House, my distinguished friend Mr. RAMSEYER has said that this bill does not make any changes in existing law for the benefit of labor. I call his attention to one concrete case. A cargo came into the United States recently and it was clearly proved that this cargo was loaded on the vessel by convict labor but while the presumption was great, yet there was no direct evidence to show that it had been manufactured by convict labor and the cargo was admitted.

Under this bill that particular cargo would not have been admitted because it was loaded by convict labor. This bill does not interfere with nor embarrass us in any of our international relations. It does not violate any rule adopted by the other civilized nations of the world. We find that all of the civilized countries have adopted the same rule in respect to subjecting their labor to competition with convict labor of other countries.

The policy has long been established in the United States. In the tariff act of 1909 we find-

SEC. 14. That all goods, wares, articles, and merchandise manufactured wholly or in part in any foreign country by convict labor shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provider.

In the Underwood Act of 1913 we find this provision-

SEC. IV. * * * I. That all goods, wares, articles, and merchandise manufactured wholly or in part in any foreign country by convict labor shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision.

The Fordney-McCumber Act of 1922 followed the same principle and recites-

SEC. 307. That all goods, wares, articles, and merchandise manufactured wholly or in part in any foreign country by convict labor shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this

The Hawley-Smoot Tariff Act followed the same unbroken custom but the provisions were broadened, and new classifications made.

The acts of 1909, 1913, and 1922 recited that all goods. wares, articles, and merchandise manufactured wholly or in part by convict labor should not be entitled to entry at any port of the United States, but the act of 1930 broadened the provision by including the words mined and produced, in addition to the word manufactured.

In the act of 1930, we find for the first time the inclusion of the provision forbidding the entry of goods, wares, and merchandise when mined, produced, or manufactured by forced or indentured labor. There was also included a definition of "forced labor."

The provision relating to forced and indentured labor was qualified by postponing its enforcement until January 1, 1932, and also by specifically providing that the forced and indentured labor clause should not be applicable to goods, wares, articles or merchandise, which are not so mined, produced, or manufactured in such quantities in the United

Mr. COLLIER. I yield.

Mr. CONNERY. I am in favor of the principle of this bill, but I would like the gentleman to explain the last proposition in the bill:

Shall not be applicable to goods, wares, articles, or merchandise so mined, produced, manufactured, transported, handled, loaded, or unloaded which are not mined, produced, or manufactured in such quantities in the United States as to meet the consumptive demands of the United States.

I would like to ask the gentleman if that means that we do not want anything to come in from Europe which is mined or manufactured by convict labor unless we need it in the United States, but if we need it, then we are going to take this commodity that is produced by forced labor? I do not like that provision in the bill.

Mr. COLLIER. The purpose of that provision is this: For instance, take as an illustration goods of rubber which are produced by indentured labor-

Mr. CHINDBLOM. Will the gentleman yield?

Mr. COLLIER. I yield.

Mr. CHINDBLOM. The provision to which the gentleman from Massachusetts [Mr. Connery] refers does not apply to productions of convict labor at all. It is limited to productions of forced and indentured labor. Convict labor is already prohibited, whether we need it or not.

Mr. CONNERY. But are we going to take the products of forced labor if we happen to need them, but not take

them if we do not need them? Is that it?

Mr. COLLIER. In a sense, that is it. In those cases where the United States can not produce, mine, or manufacture a sufficient supply to meet the needs and demands of the American people, then this bill will permit those products to come in.

Mr. CONNERY. I shall support the bill, but I hope it will be amended in the Senate.

Mr. YON. Will the gentleman yield?

Mr. COLLIER. I yield.

Mr. YON. This is an interpretation of the bill and the setting up of the provisions of section 307 of the tariff law,

Mr. COLLIER. Part of it. Most of section 307 is already existing law. As the gentleman from Iowa [Mr. RAMSEYER] said, we make the indentured and forced labor clause effective April 1, 1931, instead of January 1, 1932.

Mr. BLACK. Will the gentleman yield?

Mr. COLLIER. I yield.

Mr. BLACK. It seems to me the word "deposition" in the bill will require agents in those countries where we have no consular officers to run over on a bicycle or airplane to another country to get the depositions authenticated. I think the word "deposition" is too binding. A broader term should be used, like "unsworn statement."

Mr. COLLIER. There was some effort to get the language broadened, but this was the best bill we could get

under the circumstances. Mr. DAVIS. Will the gentleman yield?

Mr. COLLIER. I yield.

Mr. DAVIS. Is it not a fact that our exports to Russia are five times our imports from Russia?

Mr. COLLIER. About that.

Mr. DAVIS. The gentleman stated he knew of no protest. Did the gentleman not see the dispatch the other day to the effect that if this bill were passed Russia would cut off trade relations?

Mr. COLLIER. This bill has been in effect since the last tariff act, or most of it, and there has been no protest on that account.

Mr. DAVIS. Oh, no.

Mr. COLLIER. I believe the gentleman's apprehensions

along that line are unfounded.

This bill does not in principle differ from section 307 of the Hawley-Smoot Act, from which no unpleasant international complications have arisen. I am speaking now about

States as to meet the consumptive demands of the United | section 307, for many expressions of hostility from foreign countries have reached us in relation to many sections of the last tariff act, and many retaliatory measures have been, and doubtless will be, enacted against us until we repeal or amend many of its monstrous rates and indefensible provisions; but I am now speaking specifically about section 307, and I repeat that this section has not brought upon us any hostile criticism that I can find from any foreign country.

> The present bill does not change the principle of existing law. It simply makes it stronger, adds to it, and will make it easier to enforce. It applies to all countries alike, and only goods, wares, and merchandise from those countries which attempt to violate its provisions will be excluded.

> The bill before the House materially differs from existing law only in three particulars. First, it adds the words transported, handled, loaded, or unloaded" in addition to the words, "mined, produced or manufactured" in the tariff act of 1930. Second, it makes the date in relation to the "forced and indentured labor" clause effective April 1, 1930. instead of January 1, 1931, as provided in existing law, and third, it recites that in any proceeding under or involving the application of any provision of the act, reports and depositions of officers or agents of the United States shall be admissable as evidence.

> I do not believe that the passage of this bill will involve us in any unpleasant controversies with any foreign country. I believe it is in the best interests of our country and of American labor and I hope it will pass the House by a large majority.

CHANGES IN EXISTING LAW

This proposed legislation has the effect of superseding section 307 of the tariff act of 1930. For the convenience of the House, a comparison of H. R. 16517, as amended, with section 307 of the tariff act of 1930 is shown below, as follows:

[Existing law roman type; matter omitted in brackets; and new matter in italic type]

[All] That all goods, wares, articles, and merchandise mined, [produced or manufactured] produced, manufactured, transported, handled, loaded, or unloaded, wholly or in [part] part, in any foreign country by convict [labor] labor, or/and forced [labor] labor, or/and indentured labor under penal [sanctions] sanctions, shall not be entitled to entry at any of the ports of the United States, and the importation thereof is hereby prohibited, and the Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this Secretary of the Treasury is authorized and directed to prescribe such regulations as may be necessary for the enforcement of this provision. The provisions of this [section] Act relating to goods, wares, articles, and merchandise mined, produced, [or manufactured] manufactured, transported, handled, loaded, or unloaded by forced labor or/and indentured labor, shall take effect on [January 1, 1932;] April 1, 1931, and shall remain in full force and effect until Congress provides otherwise, but [in no case] shall [such provisions] not be applicable to goods, wares, articles, or merchandise so mined produced for manufactured] manufactured. merchandise so mined, produced, for manufactured] manufactured, transported, handled, loaded, or unloaded which are not mined, produced, or manufactured in such quantities in the United States

as to meet the consumptive demands of the United States.

"Forced labor," as herein used, shall mean all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily.

In any proceeding under or involving the application of any provision of this act reports and depositions of officers or agents of the United States shall be admissible in evidence.

Mr. RAMSEYER. I wish to correct my friend from Mississippi. This is not an embargo bill. The Secretary of State was asked to come before our committee on the embargo bills, among others, an embargo against Russia. The Secretary of State was not asked to come before the committee on this bill.

Mr. COLLIER. Will the gentleman yield for just a moment?

Mr. RAMSEYER. Certainly.

Mr. COLLIER. I think the chairman of the committee will bear me out that we adjourned over one day on this bill to permit the Secretary to appear before us. It is true there were a number of embargo bills, and I may be mistaken; but I think we adjourned over one day to hear from the Secretary of State and the Secretary of Commerce, and Mr. Klein came down the next day.

Mr. RAMSEYER. That was on the embargo bills.

Mr. COLLIER. That was on this particular bill which we

Mr. RAMSEYER. The gentleman is mistaken.

Mr. RAGON. That was on the embargo bills.

Mr. COLLIER. My colleagues both say I am wrong, so I will withdraw that.

Mr. RAMSEYER. Of course, this bill has the imperfections I pointed out before, but the worst feature of this bill is that it pushes up the provision of existing law from January 1, 1932, the date which all of our traders and merchants had in mind, and contracted accordingly to April 1, 1931. I think that part is unfair and unjust. As I stated before, the whole bill is a make-believe bill. It is not going to do anybody any good, and it may hurt a number of people engaged in foreign trade and affect our trade with Europe and the rest of the world.

The SPEAKER. The question is on the motion of the gentleman from Oregon [Mr. Hawley] to suspend the rules

and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

EXTENSION OF REMARKS-CONVICT LABOR IN INDUSTRY

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, under leave to extend remarks on the bill to define "convict labor" I beg to say that I had the privilege of appearing before the Ways and Means Committee in support of the bill of the gentleman from South Dakota [Mr. WILLIAMSON] in behalf of his bill, H. R. 16035, to place a general embargo on all goods coming from countries where trade systems such as that being developed in the Union of Socialist Soviet Republics. I desire to append the statement made by me before that committee, as follows:

Mr. Williamson. The next witness, Mr. Chairman, that we would like to call is Representative Johnson, chairman of the Immigration Committee.

STATEMENT OF HON. ALBERT JOHNSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

The CHAIRMAN. Being a Member of the House, you understand,

The Charrman. Being a Member of the House, you understand, of course, how the 10-minute rule operates.

Mr. Johnson. I hope I can get along on less.

Mr. Chairman and gentlemen, my duties and my position as chairman of the House Committee on Immigration and Naturalization have brought me, for a long time, an opportunity to have more or less knowledge as to the development of the activities of the Soviet Union, and particularly its attempt to establish and

more or less knowledge as to the development of the activities of the Soviet Union, and particularly its attempt to establish and to carry on the 5-year program.

My activities have also given me an opportunity to know quite a bit of the activities of the American coalition, and how and why it works, and I may say that I have had the pleasure of knowing Captain Trevor, who just testified before you, for 10 or 12 years, and I do not know a more earnest, hard-working man engaged in the intensive study designed to bring out all facts on this and other problems at his own expense. He is a man who is not an extremist along any line. He is not given to extravagant statements, and he writes and speaks with care and caution. Because of these attributes, his testimnoy is especially valuable.

As a basic plan this idea of joining together of fifty-odd patriotic societies to do certain things was with the purpose of having their delegates, a large number of whom are residents here, such as Mrs. Walker, of the Daughters of American Revolution, and Mr. Gray, representing the farm organization, meet frequently to find out what bills are likely to be acted on, and to secure them and send them to the national officers of their organizations. It eliminates a great deal of mail to Members of Congress, and it eliminates many demands for printed matter. This central body

eliminates many demands for printed matter. This central body of the coalition does take part in problems that might be considered as political, but only with those which they think endanger or affect the whole United States; in other words, from a unified patriotic standpoint.

As an illustration, this organization will find out from the

Immigration Committee what the key bills happen to be, and, if there is time, those bills are sent out. If there is not time, these men and ladies, a large number of whom are legislative agents right here, meet and use their best judgment in the formulation of petitions, protests, and indorsements to be submitted to Congress, and they come in en bloc, and I have found their efforts quite valuable and helpful.

I was glad that I got into the room just in time to hear a part of the testimony and the cross-examination of the young man

who went to Russia and who tried to work in the rolling mills there. The reason that I was so interested is that I have personally interviewed men in the third congressional district of Washington State, which I have the honor to represent, who are fishermen, and a few who are loggers, who went over to Russia under similar contracts and allurements, over \$300 a month, and who managed to break their contracts and run away and come

back.

Take the fishermen; they are husky people, in North Pacific and Alaskan waters, and the Columbia River; some of them are the descendants of the Norse country, such as Sweden and Finland, and it was very easy to interest them when offered an opportunity to earn \$300 a month in Russia with the understanding that they were to be teachers in the important business of fishing. So they made contracts to go to Russia. It turned out that those who made the contracts with them were either fourth-rate agents of this Amtorg, not the big ones in the east, but fourth-rate agents, and also certain agents of western steamship lines. also certain agents of western steamship lines.

Well, these boys got over there and, as one man said to me, he would not have stayed under the circumstances there for a million rubles, because after he got his \$300 or \$400 a month, he could not buy butter or anything that he wanted to eat, and so he decided to get out if he had to run out.

decided to get out it he had to run out.

Now, he said that they tried to make it comfortable for these fellows who were to be the teachers and directors in the task of

Now, he said that they are to hake it common these fellows who were to be the teachers and directors in the task of enlarging the fishing industry.

And right while I was inquiring about this, I happened to be at Astoria, Oreg., in Chairman Hawley's own district, and there was a ship loaded with a part cargo of tin plate—tin plate that had been manufactured in Pittsburgh, shipped to Astoria on the lines of the Union Pacific west of Chicago onto this boat, bound for Vladivostok. I made some inquiries about it, and it developed that that plate, when it arrived at Vladivostok, was to be taken in charge by the soviet system, which runs the fishing business, and made into cans under the same plan of conscripted labor, cheap wages—\$15 supposed to be, in exchange, equivalent to ours, but not so. The fishing was to be done by the same kind of labor, as well as the dressing of the fish and the packing into the cans, and then the stuff was to be shipped, not necessarily to the United States but to France and Sweden and elsewhere. The labor was to be furnished by the Soviet Government itself, to be paid this low wage, the product to go out into the markets of the world; and it disturbs the United States market whether that product is sold in France or Sweden or here.

Now, look at the other side. The holders of stock in a certain corporation that makes the tin plate want the dividend, the profit; the working people in that great industry here in the Eastern States want the pay that comes to them; the railroad, getting this long haul, wants the transportation pay; and the steamship line

wants the cargo.

Can we afford to strike all that down in order to do our part for this breaking down of the soviet system of control? I do believe we can afford to do it.

Now, it is a tremendous guess as to whether the soviet system of control can survive. At first blush I think any man would say that the system will break of its own weight, that human beings won't stand against that control and force; but I have talked to the won't stand against that control and force; but I have talked to the workmen out in my country, where we have had very little in the way of pay rolls since July, and only intermittently for months before that, because our industries have all been hurt, and they said, "Put yourself where I am, out of work; suppose that I am told I will have to work the way the United States Government tells me to work or that I will starve; which would I do? I will

That is the way they have to do it in Russia, and their people have to swallow it. Our people now there can get out, but they can not; and this boy who testified was dead right in everything

he said, and he was honest.

If I could afford it I would have some of our fishermen and a few loggers come here, but I have the affidavits upstairs. I have worked a year on this, and I have tried to collect some information on it, and I have enough to make a scrapbook as big as a dictionary, and I have a manuscript of a man from my district who traveled for one year in Russia, who described some of these things, and he said that where these gigantic projects are under way, like that great electric proposition on the Dnieper River, there are many Americans, skilled people and engineers, who are able to get together as if in a great colony, you might say, and get the equivalent of Russian rubles, and they have better chances for exchange with which to buy and a better opportunity to buy the kind of food that they want, so that they are comfortable.

the kind of food that they want, so that they are comfortable. Then there is that great dam, and that tremendous industry will be there; it is being built while we are building Boulder Dam, and no matter how their Government swings, that electric project is an addition to the assets of that part of the country, and so on with other projects. Also the building of railroads. The Government may have to change and twist, but those things are there. We all know that this communistic system has been operating for years. They keep changing fronts and generals just like an army has to do. Take the great struggle between our States; the armies on each side had to change plans to keep up a commissary and to feed and clothe. This whole Russian system as far as they can handle it at all is like an army, and it keeps straining that government tremendously to feed and to clothe. I hope and pray that it will fall down; but, Mr. Chairman, I am I hope and pray that it will fall down; but, Mr. Chairman, I am mortally afraid that the grips have got to come between this, the United States, the land of the so-called capitalistic government, with living on a very high plane, and this newest scheme in

government in a country much larger than this with a population larger than ours, mobilized to bring on a desperate struggle economically. And gentlemen if we do not lead what other country in the world can?

country in the world can?

It is a tremendous problem, and I think every member of this committee knows it, and it is an enormous problem, a year's work for Mr. Rainey or any of you gentlemen, or a student like our friend Ramseyer, from Iowa, to bring these changing facts together and get a square view at the situation.

I have been offered money by certain magazines if I would write something on this soviet survey that I alone made, but it is hard to guarantee my facts at any given hour.

I am glad to see this bill in this shape. The quicker we can throw out a bill in defense, to meet the efforts of that government, the better we put ourselves in shape to hold up our end of

ment, the better we put ourselves in shape to hold up our end of the great economic and other disturbances that are shaking the Loose every bit of the export and import trade, if we have to. As one witness here said, you will never sell the what again at a price that will even pay anything in the way of profit to the man that grew it, and that will soon apply to fish, and it applies to manganese and other articles.

The chairman himself knows that in his district and mine the lumber and pulp business has been badly injured, and there is little in sight to revive it.

It is going to take nerve, gentlemen of the committee; and, of all the committees that I know of in Congress, your committee

has got the courage.

I thank you for your attention, and ask for permission to revise my remarks.

The CHAIRMAN. Any questions?

Mr. Charman. Any questions?

Mr. Crisp. It is hardly necessary for me to say that I am not in sympathy with the Bolshevik Government of Russia, but I wanted to ask you this question. This committee has reported out a bill amending section 307 of the tariff act; which provides that no goods can be imported in the United States from any country if, in the manufacture or production of them, or in loading them or transporting them, convict, forced, or indentured

The Treasury Department has rules and regulations, and those rules and regulations prescribe that if the question is raised as to whether those goods were produced, manufactured, or transported, or even loaded, by convict, forced, or indentured labor, the importer has the burden of proof and the importer must establish that the goods do not fall within any of those inhibited

Mr. Johnson. I have read the bill.

Mr. Crisp. Does not that give ample power to deny imports from Russia, if the information that we have as to conditions in Russia is true?

in Russia is true?

Mr. Johnson. It will go part way. If we can not get anything else, it will help your whole situation maybe for a year, but I am afraid that it will not reach far enough. If the importer is connected in any way with the Amtorg or the Russian Government, directly or indirectly, he is a man whose oath or affidavit you can not believe because it is part of their system that this oath business is all capitalistic, and you would have considerable

Mr. Crisp. The gentleman is quite able to realize, of course, that it does not prescribe what evidence the Treasury Department shall accept, or what weight it shall give to certain evidence.

That is left to the Treasury officials, and I think it is a fair assumption that the Treasury Department will use common sense

and good judgment-

Mr. Johnson. I have always thought so, too.

CRISP (continuing). In passing upon evidence adduced Mr. before it.

Mr. Johnson. I think the committee has gone a long ways in

Mr. Johnson. I think the committee has gone a long ways in what it got into the last tariff act, which I think was badly needed, at a time when we were sending money abroad to make goods to send back here, and there is merit in your bill, but not enough teeth in it, and I am willing to make the prophecy that less than one year will go by until you find it out.

I sat in with some men who were in conference last night. They have been students of the unemployment proposition of the United States, and from the statistics that have come to my committee I estimate that 7,000,000 people at this time are out of work in the United States; and, assuming that the Government does all that it can in the way of providing so many jobs, and that all of those who hire labor do all that they can in the way of getting men back into manufacturing and building and everything of that kind, and allowing for the normal number of men that are always out of work in this country on account of maladjustment, October out of work in this country on account of maladjustment, October will come and you will find out that there will be 3,000,000 men out of work who want work and can not obtain work.

Mr. RAMSEYER. Suppose that we put on an embargo against Russia and shut off the \$30,000,000 in imports and \$150,000,000 in exports, how many men will that put into employment in the United States?

Mr. Johnson. It would not put any.
Mr. Ramseyer. But it would put these 60,000 to 100,000 out of employment?

Mr. Johnson. Yes; but continued unloading of conscript-made goods on to us is putting and will put more out of work.

If time had permitted, I would have carried this statement out, to the effect that the coming in of these products is more damaging now, and will be still more damaging, than

the loss of labor now engaged in making certain articles to be sold to the Soviet Government of Russia.

Mr. RAMSEYER. I want to know whether you are arguing this from an economic standpoint?

Mr. Johnson. I am going at it from an economic standpoint. Mr. Ramseyer. Or whether you are here advocating an attitude to destroy the Russian Government?

Mr. Johnson. I am advocating that the Russian Government

has the right to set up any kind of government it desires, but that the Russian Soviet has not the right to attempt to destroy that the Russian Soviet has not the right to attempt to destroy our United States Government, where the people have a right to own property and to be protected in that ownership, and have the right to have and protect other rights to which they are entitled. Our people have had hard times many times before and have pulled out through their own efforts.

Mr. Ramseyer. Let us stay on the economics of it for a moment.
Mr. Johnson. I will try.
Mr. Ramseyer. You concede that an embargo right now would not better the employment situation, but that, in fact, it would make it worse right now?

make it worse right now?

Mr. Johnson. Yes; slightly, right now.

Mr. Ramseyer. Well, slightly—at least, it would be that much

Mr. Johnson. Apparently; slightly.
Mr. Ramseyer. Now, the importations of lumber are not the cause of your distress out there. We went through that lumber situation; the distress in the lumber industry is chiefly that the farmers in recent years have not made enough money to buy building material.

Mr. Johnson. That is a part of it, but the big part is this: Mr. Johnson. That is a part of it, but the big part is this: Tables were hung up over in the Speaker's lobby showing the loss of exports to China, Japan, South America, and so on, and that export market has been picked up more or less by everything that can be manufactured in Russia with this conscript labor.

Mr. Ramseyer. But the Russian foreign trade is only about 2 per cent of the total world international trade; it is only about half as large as it was before the World War.

Mr. Johnson. If we have lost our cargo business, that is one item, is it not? There is very little cargo going out from the Pacific coast, and little coming in. What is the reason?

Mr. Ramseyer. Mr. Johnson, it is the world's economic situation. Of course, we have lost in the world trade since this depression, but as far as I can find out our loss is relatively no greater than the loss of other trading countries. All of the coun-

greater than the loss of other trading countries. All of the countries have lost in their foreign trade.

Mr. Johnson. Then why should this country stand around and issue statements here, there, and everywhere, as if we can pick ourselves up by our boot straps and become prosperous in another

90 days' time?

Mr. Ramseyer. Nobody is saying that.
Mr. Johnson. They are doing it in financial papers all the time.
Mr. Ramseyer. This economic situation is world-wide.
Mr. Johnson. Certainly. It is going to stay that way for a long

Mr. Johnson. Certainly. It is going to stay that way for a long time, I am afraid.

Mr. Ramseyer. I have my own views about it. It is largely due to war financing, blunders during the war in international financing, and the men in the world who control the finances have made a mess of international finance.

Mr. Johnson. I agree with you. Mr. Ramseyer. And unless the men who control the credits of

Mr. Ramseyer. And unless the men who control the credits of the world loosen up very shortly and come to their senses Russia will not be the only country in the world that is communistic.

Mr. Johnson. I agree with that.

Mr. Ramseyer. If this embargo would improve our economic situation, I might be favorably inclined toward it; but we, after all, as a committee consider the economics of the thing, not the international politics. It is not our business here as a committee to tell the Russians what kind of a government they shall have.

Mr. Johnson. I agree with that.

Mr. Ramseyer. If that government does not fit into the character of the Russian people, it will collapse of its own weight in the course of years. If this into the character of the Russian people, no matter how much we denounce it here, how much we may dislike it here, it is going to continue to live, even though we shut off this \$180,000,000 of trade.

Mr. Johnson. The minute the United States gets its backbone

Mr. Johnson. The minute the United States gets its backbone

up against any kind of serf trade, going or coming, some other countries will get up their backbones. Up to date the only one I have heard of that has had any nerve was little old Mexico.

Mr. Ramseyer. That is a conclusion to which you are entitled, and I am not saying that you are not right about it; but for the immediate future to shut off this \$150,000,000 a year in exports would make economic conditions worse than they are.

Mr. Johnson. The reverse is just as true, but keep in mind which country's valuation we use in the figures. The sets of figures cheat each other. And I do not care whether it is \$5,000,000 worth of manganese, \$20,000,000 worth of wheat, \$10,000,000 worth of coal, \$2,000,000 worth of matches, a few millions worth of pulp,

\$15,000,000 or \$20,000,000 worth of lumber—

Mr. RAMSEYER. But as to the manganese, if I am correct, we produce about 2 per cent of our consumption.

Mr. ESTEP. Six and ninety-five one-hundredths.

Mr. RAMSEYER. And of the imports, how much comes from Russia?

Mr. Estep. We import 50 per cent of our domestic needs from Russia, and the rest from Brazil and other places.

Mr. RAMSEYER. If we were to shut off Russia, it would simply mean that that much more manganese would come in from some

JOHNSON. You are a member of this great committee and mr. Johnson. You are a member of this great committee and infinitely better prepared to state that than I am, as well as to know the exact figures, and I know that you are a close student of the situation, but we could debate back and forth till midnight. We must not forget whether or not we place Russian or American valuations on these imports.

I want to thank you for the time given me.

The CHAIRMAN. We thank you for the information that you have given the committee.

Mr. Speaker, I knew when I was addressing the Ways and Means Committee that the time was pretty short for consideration of a bill for general embargo against products from a country using convict, conscripted, drafted, induced, or forced labor. The gentleman from Georgia [Mr. CRISP] asked me if the bill of the gentleman from Pennsylvania [Mr. Kendall], H. R. 16517, would do. I replied that it might help if we could get nothing with more teeth in it. That bill has passed the House, but the Senate Committee on Finance has laid it aside.

Next comes the struggle for consideration of separate bills for embargo on oil, and on coal, and on lumber, and on pulp. Confusion worse confounded. Mark the predictions made in my testimony printed above. Who wins for another season? The Union of Socialist Republics.

SUSPENSION OF IMMIGRATION

Mr. JOHNSON of Washington. Mr. Speaker, I make further use of this time to say that I expect H. J. Res. 500 to suspend for two years a large part of the immigration to the United States to be called up for consideration at any hourperhaps this afternoon. I beg to ask Members to remain on the floor to prevent time being lost in quorum calls. This will help the whole program.

CANADA SUSPENDS IMMIGRATION FOR TWO YEARS

Canada has recently suspended immigration to that country for two years. The United States can not lag behind. Immigration and emigration enter into present world economic conditions in a very large way.

I desire to call attention to the following clipping from a Canadian daily newspaper:

IMMIGRATION HOLIDAY TO LAST TWO YEARS-GOVERNMENT DECIDES CANADA HAS ENOUGH WORKERS FOR PRESENT NEEDS-NO ASSISTED

OTTAWA, February 15.—A 2-year immigration holiday has been decided upon by the Dominion Government. It is estimated there are at present available in the country sufficient farm workers, unskilled laborers, household workers, and the like to supply all

skilled laborers, household workers, and the like to supply all demands without bringing in any more until 1933.

The death knell of assisted passages has been sounded. The British trainee farms, which were established at great cost to fit city-bred workers for the wide-open spaces, may cease operations for the time being, so far as Canada is concerned, and that virtually applies to the other Dominions also, because Canada absorbed more British migrants than all the other Dominions combined.

When House Joint Resolution 500 is called up I shall try, if time permits, to give the exact meaning of Canadian re-

In the meantime I call attention to the headlines over a dispatch of the same date in the same Canadian newspaper:

Factory workers sent back to United States—Close check up carried out at border by immigration men—All leave voluntarily.

Canada will let no alien take a place needed by a Canadian workman. Canadian officials are combing the factories of that Dominion for Americans and others who have entered surreptitiously.

The United States will do well to take a lesson from Canada.

COMMUNITY COOPERATION

Mr. JOHNSON of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

There was no objection.

Mr. JOHNSON of Nebraska. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include an address delivered by myself at the sixth annual dinner of the Colum-

bia Heights Business Men's Association, February 19, 1931, New Amsterdam Hotel, Washington, D. C.

The address is as follows:

Mr. Toastmaster, ladies and gentlemen, you do me greater honor than I am worthy of. It was with a great deal of pleasure, coupled with a keen sense of responsibility, that I accepted Mr. Burgett's kind invitation to address you on this occasion. It should always be a pleasure for anyone to meet an ambitious, industrious, community-loving people, who believe that in cooperative efforts there is security and strength. I feel my inability to bring you a message worth while. I can only hope, at my best, to give you a suggestion.

a suggestion.

Two young business men were walking across the London Bridge when suddenly Abie said to Isaac, "I bet you \$5 I can tell you what you are thinking about." Isaac replied, "I bet you \$5 you can not." "Alright, it's a go then," said Abie. "I bet you were thinking about going over to Liverpool and buying a little business for \$20,000, then insuring it for \$30,000 and make \$10,000 for yourself." "Ach! Here is the money," said Isaac. "Vell, den I guessed it, didn't I?" said Abie. "No, you didn't guess it, but the suggestion is worth the money," replied Isaac. I do hope that somewhere during my rambling remarks to-night I shall be able to say something that will bring a suggestion to you that will be worth your while and your money.

I shall be able to say something that will bring a suggestion to you that will be worth your while and your money.

We know that America is the land of opportunity. We know that the American people are the most alert, active, progressive, best fed, and best clothed people in all the world to-day. This is due to the fact that in our country we still maintain the spirit of Washington and Lincoln, which is unity of interest in community, State, and Nation. We know the people whom we love and respect are the men and women of character, honor, and standing, who are determined to be the leaders in every practical movement for the betterment of humanity. They are a constructive people, building a nation, materially, politically, socially, and spiritually on a foundation of equality of opportunity. How can we have equality of opportunity without cooperative efforts in your community? I may not be able to tell you what always constitutes cooperative efforts, but I think I can give you an illustration of what they are not.

A man and his wife were shopping one Saturday night in a

man and his wife were shopping one Saturday night in a A man and his wife were shopping one Saturday night in a small town and he rather hastily purchased a new pair of overalls. When he reached home he discovered, in the presence of his wife, that these overalls were 6 inches too long. She being rather tired and realizing that it meant additional work for her to alter the overalls began to scold her husband for being so careless and not getting a pair that would fit. Of course he then began to realize that he had made a mistake. He really did not want to make his wife additional work so after they had retired and he thought his wife was asleep he got up and quietly went out into another room and cut 6 inches off the new overalls. Then quietly retired feeling that he had done a very kind act for the wife. A retired, feeling that he had done a very kind act for the wife. A little later when he was asleep his wife woke up and she was rather sorry for the harsh things she had said to her husband, so she quietly slips out of the room and cuts 6 inches more off of the overalls and she retires without waking the sleeping husor the overals and she retires without waking the sleeping husband. A little later when both of them were sound asleep the mother in law (that ever-present help in the time of trouble), who had heard the argument when they returned home, thought she would protect the family ties and so she gets up and slips out to where the overalls are and cuts off 6 inches more. They were all working, they were all interested, almost to the extent of community interest, but it certainly was not cooperation. Conservition nity interest, but it certainly was not cooperation. Cooperation and community interest brings us face to face with opportunities to and community interest brings us face to face with opportunities to help ourselves and to help others. What is an opportunity if it is not a condition that permits you to be of service to some one else? And service to others whereby you help them to help themselves is the greatest philanthropic work one can do. Sometimes we get a little tired trying to help others, and we feel like the little girl whose mother had continually been telling her that we were here to help others. One day when the little child thought it had gone about far enough she said to her mother, "Well, mother, what are the others here for?"

We are often looking for the opportunity to make money and

We are often looking for the opportunity to make money, and that is not to be condemned in its entirety; but opportunity in its broader sense is more than the mere chance to make money; that is the gambler's opportunity. Washington had opportunities to make money and he made it, but he did not let those opportunimake money and he made it, but he did not let those opportunities keep him from seizing the greatest of all opportunities—to serve his fellow countrymen. Lincoln, seemingly, never had the opportunity to make money. He seemed always to be thinking of others; he gave his very life for his community, State, and Nation. We now honor him as the greatest of Americans. His religion was the Christ religion. He went about doing good, and that was the only opportunity he looked for.

The early settlers in America pushed the hostile Indian tribes back, broke the sod, killed the rattlesnake, built the bridges over the turbulent streams, and made life easier for the oncoming generations. They sat by the sick bed and gave succor to the weak and suffering without thought of pay. If you were to write your life's history to-night, I think you would be more likely to recall your service to mankind rather than the opportunities you have had to make money or acquire other wealth. Our forefathers had

time and the opportunity to think for themselves; we are hardly granted that privilege nowadays—there are so many orators, daily newspapers, and books of fiction in this day and age that if we

listen to the orators and read the books and magazines we have no time to do our own thinking. I am reminded of a college professor who went out on a western ranch to spend his summer vacation. The first morning he was there he told the lady of the house, who was not so young any more, that he had certain hours for the study of English, Latin, science, and various other studies until he had taken up the entire day, so it seemed to her, and she turned to him and said, "When dost thou think?" An orator, it seems to me, is one who so couches his ideas—if he really has any—in flowery figures of speech until you or he or anyone else can not tell what he is thinking about.

My short experience in Congress leads me to believe that there are two distinct classes of men there, the thinkless talker and the talkless thinker. The men I like best are the talkless thinkers—they do the work—but on account of the other class it takes them a long time to get it done. You know, we do a lot of things up on Capitol Hill; some are wise and some otherwise. I think but very little of "the otherwise" gets into the statutes, but it does get into the daily records and the newspapers, usually confusing, misleading, and quite often very disgusting to the general public.

It seems to me it should be a primary duty of the people to make it their business to understand the fundamental principles of community, State, and National welfare and not to take their ideas too much from writers and speakers who have the gift of words but not the gift of ordinary common sense. In connection with this line of independent thought I like to think of Daniel, that fine young fellow in Bible history, who always kept himself so physically and mentally fit for all emergencies that he could be of service to anyone, friend or foe, even the king of a different nationality, and thereby free himself and his fellow countrymen. You recall the story wherein the king had a dream and forgot it, and for a king to do a thing like that, "it was just too bad," so he called in all the wise young men of his realm, who had attended their colleges and universities, for counsel in the matter. They could not tell him his dream and, of course, could not interpret it for him. The king had given Daniel and his three associates a sort of a civil-service examination and had made the remark that they were ten times smarter than any of his own young men. Daniel, not being of the same nationality as the king, one might think, would hesitate to offer his services, but here was his opportunity, so he called his associates to him and they did their own thinking. Daniel had never been to college or to a university, but somewhere he had learned to think and pray, so he and his associates went to God for His divine guidance, and with His help they were able to figure out the king's dream and to interpret it for him. None of them were put to death, which would have been the result if the king's dream had not been interpreted. Daniel was never considered to be a rich man, but he was a very successful man because he had the ability and the willingness to serve others.

A very beautiful and impressive memorial service was held in the House of Representatives to-day in memory of nine Members of the House who had departed this life since June 27, 1930. They were memorialized not because of any amount of wealth they had accumulated; in fact, not one word was said about their material wealth, but they were eulogized for the good they had done and the service rendered to others. Nowhere in this city of monuments and memorials, in Statuary Hall or Arlington, do we find statues erected to the memory of any man because of his ability to acquire wealth. We honor them for their heroic acts, deeds of valor, and service to their fellow countrymen.

An inventor is successful if his invention does what it was made to do. An author is successful if his book accomplishes its purpose. A man is successful if he does well that for which a man is made. If you have used your God-given faculties and powers to the best of your ability, you have been successful.

During the past few years I have had the occasion to cross the

During the past few years I have had the occasion to cross the United States from ocean to ocean and to criss-cross it from northwest to southeast and southeast to southwest, and just recently returned from a 4,000-mile trip by water to Panama. It seems to me that the whole country is full of opportunities if we can just marshal our forces, individually and collectively, and seize them; that life is good and opportunities for doing good, socially and economically, are always with us. It seems to me that the Middle West is the door where opportunity is knocking to-day. There is where we have the substantial things of life.

It is really the bread basket and the meat platter of the world. You will pardon me if I seem to be a little boastful of my State, and especially the fifth congressional district, which I represent, when I tell you that in this district we have the two largest cooperative creameries in the world, the largest hog ranch in the world, and wonderful fruit and vegetable farms. It is true there are problems we must solve, and that is the case everywhere. Our main problem is the moisture question. We usually have an abundance of moisture during the year, but it often comes too early in the spring or too late in the fall. We have an abundance of fertile soil and an abundance of sunshine. A just right altitude ranging from 900 feet in the southeast and increasing to a mile high in the northwest, making a most wonderful climate for the production of all kinds of vegetables, fruits, grains, hay, livestock that is known to the Temperate Zone, if we could just have reservoir control of flood waters, that we might stabilize the climate and use the waters for irrigation and power purposes. With this problem solved I think a great many of the people from the congested cities would be glad to come and live with us, where they can fully enjoy the wholesome things of life.

Some might say this would cause an overproduction of food and grain, but I hardly think so. We are told to-day that there are millions of people not getting nearly enough to eat and are not comfortably clothed. Their Representatives in Congress have been insistent that the Government Treasury take care of them. As long as this condition exists there is no overproduction of supplies, but there is an improper distribution of labor and supplies. For the past few years we have been neglecting the country and the small town, and we have been building large cities and concentrating our wealth and labor in these cities until employment became top heavy and tumbled over with no one to pick it.

There are thousands among the unemployed who were coaxed away from the farms because the agricultural interests have been belittled by demagogue politicians, and the industrial wage has been exalted by industrial greed, and because of this, too, those having money to invest (from the rural districts) have been tempted and induced to invest in securities offered by the high financiers of the cities who, when they fail, do not do it in any halfway manner but fail in the millions. We in the Middle West do not have the millionaires you do, and you wouldn't have them if we didn't help make them. When each and every community in the United States learns to combine its own efforts and money in a cooperative way for its own preservation and advancement, we will have the reservoirs in the Middle West to control the flood and run-off water for agricultural and other economical purposes, and you people who do not have this problem to solve will solve your problems by the same methods. There are some things our Government can do and some it can not do, with safety. There is one thing we, the people, should learn and that is to help ourselves and not run to the Government for everything we want.

Gentlemen, you are business men, doesn't your daily business, touching other business at a hundred points, lead you inevitably to the conclusion that the general run of business is fair play—a regard for the rights of others, competitors and customers alike—in short, a decent respect for the opinion of mankind? And being a good sport in business is not a matter of definition; it is a spontaneous quality that rises to opportunity and emergency. Its greatest inspiration often comes from disaster and disadvantage. An emergency exists to-day, an opportunity presents itself. You have had disaster caused by drought and unemployment, and disadvantages caused by the general depression. A greater Chicago, a greater Baltimore, and a greater San Francisco rose from smoldering ruins because the faith of those men triumphed under fire.

I believe we, as business men, should accept—in spirit if not in words—as our slogan: "Let experience be our teacher." While I have to some extent advocated individuality, community interest, and local cooperation I fully realize that no one (not even a farmer, though he can come as near it as anyone, if he is a good one) can live unto himself alone. Neither can a community, State, or Nation. Neither can anyone or a community long exist and scatter itself or himself all over other affairs. The others exist as an outlet for our surplus and we exist as an outlet for their surplus. There must be an intermingling of trade and commerce with all if all are to prosper. What I have said tonight about community interest and cooperative efforts as an aid to economic conditions is equally applicable to the enforcement and obedience to the law.

and obedience to the law.

The dally press and the magazines call our attention continually to the disobedience and the laxity of the enforcement of our laws until we are virtually tired of the subject, but why do we disobey them and why are they not enforced? We disobey the laws just like we disobey our parents in childhood. If they caught us in our disobedience we were punished, but if we were not caught we thought we were smarter than they and the disposition to disobey grew on us.

But with all our man power and money why are not the laws enforced? Some one has continued to the disposition to disobe the continued to the laws.

But with all our man power and money why are not the laws enforced? Some one has said because every man has his price. That may be partly true, but not wholly true. Our individual and community respect for and obedience to the law has a whole lot to do with it. As to every man's price, I am reminded of a story of a very fond uncle who was teasing his nephew about his love for his mother. The fittle fellow declared that he loved his mother more than anyone in the whole world. His uncle said, "Oh, I don't think you care very much for your mother: I'll give you \$20,000 for her." The little fellow replied, "No, you won't give me \$20,000 for my mother; I won't take it." Then the uncle said, "I'll give you \$30,000." "Oh, no you won't," the lad replied. Then as the last resort the uncle said, "I'll give you my old jackknife for her." The lad began to edge up to his uncle and said, "Let's see your old jackknife." There may be some men in office and there may be some out of office who will fall for money, there may be some who want position, popularity, or publicity of any kind, and then there are some who can not stand the gaff of society, which I believe is even cheaper than the old jackknife.

stand the gail of society, which I believe is even cheaper than the old jackknife.

I believe the only way we can have our laws obeyed and enforced is for us as individuals—and as we join our forces in community interest—to fully realize that we are coequal with the Government in obeying the laws and in aiding our peace officers and courts in enforcing them.

enforcing them.

In closing may I sum up what I have said in this thought—
community interest is good will to others, and that is constructive thought. It helps build us up, it makes our blood purer,
our muscles stronger, and our whole form more symmetrical in
shape. It is the real elixir of life, and the more of such thought
we attract to ourselves the more life we will have.

PIKE'S STOCKADE-H. R. 13521

Mr. EATON of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

There was no objection.

Mr. EATON of Colorado. Mr. Speaker, I recently introduced a bill to authorize the study, investigation, and survey for commemorative purposes, the place where the flag of the United States was first erected in that part of the west now within the boundaries of the State of Colorado.

"Pike's Stockade" has been the subject of fable, fiction, poetry, and official report. It was located January 31, 1807, laid out the next day, February 1, and occupied by Lieut. Zebulon Montgomery Pike and the remnant of his exploration party until February 26, when an expedition sent by the Spanish governor at St. Affe, or Santa Fe, as we now pronounce and spell it, presented the request of the Mexican governor for Pike to go to the palace and give an account of himself and his expedition. Whereupon, on that date, according to Pike's diary-

I immediately ordered my flag to be taken down and rolled up.

It was upon the 28th day of January, 1807, that Pike crossed over a pass in the Sangre de Cristo range after completing an exploration of the Arkansas River to its source near the present site of Leadville, Colo., and saw the sand hills which are at present the subject of study by the Director of National Parks for withdrawal and designation as the Sand Dune National Park. Pike's description of the view is set forth in his diary in the following words:

The sand hills extended up and down the foot of the "White" Mountains about 15 miles and appeared to be about 5 miles in width. Their appearance was exactly like that of the sea in a storm, except as to color; not the least sign of vegetation existing

A writer, under date of February 16, 1931, tells us that-

The sand dunes of the San Luis Valley rival the Arabian Desert in their lure and mystery, and may soon become a national monu-

The sand dunes include 60 square miles of drifting sand of a hundred hues, and are nestled in a pocket 40 miles northeast of

Towering on three sides are Mount Sierra Blanca, Mount Garfield, and Mount McKinley, all more than 14,000 feet high.

The dunes themselves rise nearly one-half a mile high.

rife dunes themselves rise hearly one-nair a mile high. The drifting sand—sighing as it shifts constantly—gives the dunes a new contour while visitors watch.

Origin of the dunes remains a mystery, although an accepted theory is that the sand was swept up into the pocket from the huge inland lake bottom which once formed the San Luis Valley. LIEUTENANT PIKE

After crossing over these sands Lieutenant Pike continued in a southerly direction, crossed the Rio Grande to the Mexican side and reached the prairie lands opposite the mineral springs (Ojo Caliente) and high hills on the banks of the Conejos River, the West Fork of the Rio Grande Del Norte. The site chosen was under a hill from which flows a mineral or thermal spring which never freezes, at a point where the current of the river would meet the ditch built around the work. It is a little north of the center of section 7, township 35, range 11.

The stockade was built 36 feet square and 12 feet high, of heavy cottonwood logs about 2 feet in diameter. An inside ditch was dug in which was planted sharp-pointed stakes, making a pointed frise which required removal before the works could be scaled. Then there was an outside ditch 4 feet wide filled with water all around. The earth taken out formed an excellent rampart against small arms, 3 or 4

The mode of entering was to crawl over the ditch on a plank and through a small hole sunk below the level of the work near the river.

The portholes were about 8 feet from the ground, to shoot through which a platform was built.

Pike wrote in his diary:

Thus fortified, I should not have the least hesitation of putting 100 Spanish horse at defiance * * * resting under a full confidence of our not being panic struck by their numbers or

At this date it is interesting to read the views of Pike's contemporaries and later commentators, who remind us that

the arrest of Pike by the Mexican authorities was attributed to their suspicions that he was connected in some way with the adventure then being charged against Aaron Burr. It was natural that they should regard his conduct the result of design rather than mistake, particularly when considered in connection with the events of Burr's conspiracy, and that Pike was establishing himself upon this foreign soil intentionally. The trial of Burr was beginning or in progress when Pike returned to Washington.

Pike's misapprehension of the geography may be excusable. No doubt he was bewildered among the mountains and streams that were likely to confuse all his calculations. And to-day we may well appreciate the gratitude of Pike upon his return after his enforced sojourn with the Mexicans, which caused him to write in his diary:

Language can not express the gayety of my heart when I once more beheld the standard of my country waved aloft! All hail! cried I, and ever sacred the name of my country, in which is embraced that of kindred, friends, and every other tie which is dear to the soul of man.

The Colorado State Historical Society and the Sons of Colorado have preserved the site, and this year the Twentyeighth General Assembly of the State of Colorado is making arrangements for further and more permanent preservation of this historical shrine.

In conclusion, it is with pleasure that I may state that the Secretary of War has listed Pike's stockade for investigation for the purposes first mentioned, and to include an amount to cover the cost thereof in the next estimate to be submitted to Congress.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 12571. An act to provide for the transportation of school children in the District of Columbia at a reduced fare;

H. R. 16415. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1932, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, the bill (H. R. 16969) entitled "An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes."

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House thereon, and appoints Mr. HALE, Mr. PHIPPS, Mr. Keyes, Mr. Glass, and Mr. Swanson to be the conferees on the part of the Senate.

CONFERENCE REPORT-TRANSPORTATION OF SCHOOL CHILDREN IN THE DISTRICT OF COLUMBIA AT A REDUCED FARE

Mr. McLEOD. Mr. Speaker, I call up the conference report on the bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare.

The SPEAKER. The gentleman from Michigan calls up the conference report on House bill 12571, which the Clerk will report.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12571) entitled "An act to provide for the transportation of school children in the District of Columbia at a reduced fare," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with the following amendment: In line 7 of the engrossed Senate amendment, after the word "exceed," strike out the language down to and including the word "fares," in line 8, and insert in lieu thereof the words "three cents"; and the Senate agree to the same.

> F. N. ZIHLMAN, CLARENCE J. McLEOD. MARY T. NORTON, Managers on the part of the House.

> ARTHUR CAPPER. JOHN J. BLAINE, ROYAL S. COPELAND, Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House recedes from its disagreement to the amendment of the Senate with an amendment. The Senate amendment struck out all after the enacting clause and inserted a substitute. Under the terms of this substitute the Public Utilities Commission would be empowered and directed to establish reduced rates of fare for school children. provided that such rates would not be in excess of one-half the adult fare on street cars and busses in the District of Columbia. The amendment agreed upon by the conferees has the effect of restricting the commission to a maximum rate of 3 cents for children going to or from school.

> F. N. ZIHLMAN, CLARENCE J. McLEOD, MARY T. NORTON, Managers on the part of the House.

The conference report was agreed to.

QUARANTINE INSPECTION SERVICE

Mr. PARKER. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 5743, to authorize 24-hour quarantine inspection service in certain ports of the United States, and for other purposes.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of Senate bill 5743, which the Clerk will report.

The Clerk read the title of the bill.

Mr. STAFFORD. Mr. Speaker, I ask the gentleman to withdraw this bill. It is a long bill, and the Members will be able to read it between now and Monday.

Mr. PARKER. Is the gentleman going to object?

Mr. STAFFORD. Yes.

Mr. PARKER. Then, Mr. Speaker, I withdraw the bill.

CONFERENCE REPORT-NAVY DEPARTMENT APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H. R. 16969, making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Idaho asks unanimous consent to take from the Speaker's table House bill 16969, disagree to the Senate amendments, and agree to the conference asked by the Senate. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Messrs. FRENCH, HARDY, TABER, AYRES, and OLIVER of Alabama.

CLASSIFYING CERTAIN OFFICIAL MAIL MATTER

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table, House Joint Resolution 357, classifying certain official mail matter, disagree to the Senate amendment, and ask for a conference.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table House Joint Resolution 587, disagree to the Senate amendment, and ask for a conference. Is there objection?

Mr. RAMSEYER. Mr. Speaker, I object.

STATE LABORATORY AT HAMILTON, MONT.

Mr. MAPES. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 5959, authorizing the purchase of the State laboratory at Hamilton, Mont., constructed for the prevention, eradication, and cure of spotted fever.

The SPEAKER. The gentleman from Michigan asks ananimous consent for the present consideration of Senate bill 5959. The Chair understands a similar House bill is on the calendar.

Mr. MAPES. Yes.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to purchase from the State of Montana, at the actual cost of the same, to be determined by him, the laboratory of the State of Montana, at Hamilton, Mont., with its equipment, constructed for the purpose of carrying on, and at which are carried on jointly by said State and the Bureau of Public Health, studies on jointly by said State and the Bureau of Public Health, studies and research for the prevention, eradication, and cure of spotted fever, and at which serum is produced for the treatment of patients suffering from such malady or likely to contract the same. Title to the ground upon which the said laboratory is situated with all equipment and supplies therein shall be taken in the name of the United States and shall be administered and maintained as a part of the United States Public Health Service,

maintained as a part of the United States Public Health Service, Treasury Department.

SEC. 2. There is hereby authorized to be appropriated the sum of \$75,000 for the purpose hereinabove set forth, and an additional sum of \$75,000 for constructing and equipping on the ground so to be acquired another building for the same purpose, for making alterations to the existing laboratory referred to, and for the construction of the necessary outbuildings.

The SPEAKER. Is there objection? Mr. HUDDLESTON. Mr. Speaker, reserving the right to object, I voted against that bill in the committee because I did not think it had had sufficient consideration, and also it was not explained why it was emergent in its nature or why any immediate action should be taken on it. For that reason I am constrained to object.

Mr. CRAMTON. It is a real emergency.

Mr. LEAVITT. Will the gentleman withhold his objec-

Mr. HUDDLESTON. I will be very glad to withhold it in order that the gentleman may make an explanation.

Mr. LEAVITT. The purpose of this bill is to allow the Public Health Service to take over a laboratory that was constructed in Montana a number of years ago for the making of a serum to meet the menace of spotted fever, which comes from the bite of the woodtick.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. HUDDLESTON. I wish the gentleman would address himself to the question as to why this bill was only introduced on the 6th day of this month and why it is necessary to take immediate action upon it.

Mr. LEAVITT. It was introduced earlier in the Senate. Hearings were held in the Senate, and their report is much more complete. The situation of emergency is this: That whereas the study for the prevention of spotted fever began in Bitter Root Valley in Montana a number of years ago, that disease, which is a terrible disease and which comes from the bite of the woodtick, has now spread over one-eighth of the area of the United States, and it has gotten beyond the possibility of Montana producing the serum which makes it possible to fight that disease. There is an emergency. This bill has already passed the Senate, and if it can be passed by the House to-night, it will go to cient. There is no necessity that I can see of calling wittenesses with regard to a fact that is so well known. The

Mr. HUDDLESTON. When did those facts come to the gentleman's knowledge?

Mr. LEAVITT. I have known of the work being done for many years, but the proposition of taking it over by the Federal Government did not develop until comparatively recently, and that was the result of conferences between the health authorities of Montana and of the Public Health Service.

Mr. HUDDLESTON. The fault is not with us who do not always let a thing go by without any consideration. The fault is with those who fail to afford us an opportunity to know about these things.

Mr. LEAVITT. We introduced this bill and started the movement here reasonably soon after this agreement was reached between the Public Health Service and the Montana Health Service. I will say further to the gentleman that there is a general movement covering the entire United States for the enactment of this bill.

Mr. HUDDLESTON. The committee had no hearings on the bill, nobody was ever before us with respect to the bill. It was said that a letter was sent to the committee, but the letter was not read. If we are to legislate intelligently, certainly we need to know something more about it. I do not understand why, if the situation is what the gentleman appears to believe it to be—

Mr. LEAVITT. I know it to be that.

Mr. HUDDLESTON. Some attention has not been given to it before.

Mr. LEAVITT. Simply for the reason that Montana alone, with some cooperation in the last few years from the Public Health Service, has been carrying on this work. We have not asked that the laboratory be taken over by the Public Health Service until the situation had developed to a point where the disease had attracted the attention of the whole country.

Mr. HUDDLESTON. That has not been since the 6th of February.

Mr. LEAVITT. Oh, no.

Mr. HUDDLESTON. That has been going on for years. The condition with reference to spotted fever has been known to the medical profession for many years. There is nothing new about it.

Mr. LEAVITT. Four men have lost their lives in this work.

Mr. HUDDLESTON. Oh, more than that.

Mr. LEAVITT. The gentleman does not understand me. I mean in the experimental work four lives have been lost. It is very dangerous work, and these men have given their lives for humanity in an effort to find a way to stop this disease. We are particularly anxious to have the bill passed so that the item can be included in the deficiency bill and the enlarged work carried on. The disease extends, as I have stated, into one-eighth of the area of the United States and has now gotten far away from Montana.

Mr. ALLGOOD. It is a fact, then, that they absolutely have a serum that will cure spotted fever?

Mr. LEAVITT. Yes; one which is very helpful, but we can not manufacture it fast enough with our facilities in Montana to meet a national situation. The United States Public Health Service, backed by the health organizations of the entire country, desire to take it over and expend it and to carry it on in a way that will more completely meet the situation.

Mr. HUDDLESTON. All that is waived and assumed. What I object to is railroading a piece of legislation through without consideration, and that can not be defended so far as I can see.

Mr. LEAVITT. The gentleman does not blame me for that?

Mr. HUDDLESTON. I do not blame anybody in particular. I blame myself if I allow it to be done.

Mr. LEAVITT. As I understand, the committee had before it a statement from the Treasury Department setting forth these facts and the committee considered that sufficient. There is no necessity that I can see of calling witnesses with regard to a fact that is so well known. The gentleman himself has said that this danger has been known for years, so what was the use of bringing testimony into the case in this particular way?

Mr. HUDDLESTON. I presume we ought to just take somebody's word for it and not know a thing about it and just go on and pass a law about it.

Mr. LEAVITT. I would be very sorry if the gentleman should object, because it is a tremendous emergency.

Mr. HUDDLESTON. The impression made upon me, may I say, that this is an emergency is very faint.

Mr. LEAVITT. Well, it is.

Mr. HUDDLESTON. I hesitate very much to block the passage of the bill. I can not fail to attribute fault to those who are interested in the measure in not giving those who are not unfriendly to it a fair opportunity to understand it and to approve it.

Mr. LEAVITT. If the gentleman will permit me a little further there, we in Montana have been doing this work for years

Mr. HUDDLESTON. Why can you not do it for another year?

Mr. LEAVITT. We can not do it any longer in the way that the Nation is demanding that the work be done. We have had the cooperation of the Public Health Service to some extent. We have had four sacrificial deaths among those who have been representing the Public Health Service. Let me say to the gentleman that death from the spotted-fever bite is probably the most horrible form of death that afflicts the human race. It is a terrible thing. In some States 90 per cent of those who are bitten by the fever tick die. In some other sections the percentage is smaller, but it seems to carry through consistently in percentages of death as a result of this bite.

We now have a valuable serum, but it is very dangerous to handle this serum even in its manufacture, and the work needs expansion for the benefit of one-eighth of the area of the United States. The disease is rapidly spreading. That is our trouble now. The problem has got clear out of the Bitter Root Valley and out of Montana and is now covering one-eighth of our area.

Mr. GREEN. If the gentleman will yield, I would like to say right here that the State health officer of my State has recently apprised me that the dread now is that it may spread to the south.

Mr. LEAVITT. It is in the East to-day. Within the last few months it has made its appearance in the eastern country.

Mr. GREEN. And it is very important that we cooperate in this work.

Mr. LEAVITT. Yes; it is. It threatens every State in the Union and I hope the gentleman from Alabama will not object.

The SPEAKER. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, I feel that I ought to object but I am inclined to let it go. Members know that it has not been well considered. I know now more than I did before the bill was voted out.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill was laid on the table.

On motion of Mr. Mapes, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CLASSIFICATION OF MAIL MATTER

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 357, classifying certain official mail matter with a Senate amendment, disagree to the Senate amendment, and ask for a conference.

Mr. STAFFORD. Reserving the right to object, I thought the purpose of the Senate amendment was reasonable. It puts the size and weight of the package sent under frank as it is in the parcel-post system. The gentleman does not want to send a whole truck load of merchandise?

Mr. SANDERS of New York. That is up to the Members themselves.

Mr. STAFFORD. I thought the amendment was reasonable and should be agreed to.

Mr. SANDERS of New York. This only applies to docu-

Mr. KELLY. The whole purpose of the amendment is to permit a Member to send his official files to his own address. It is on the same basis now as public documents. The Senate put on an amendment changing it to mail of the first and fourth classes, which is 70 pounds weight. If the package weighs 80 pounds, it would be unmailable.

Mr. STAFFORD. I think every Member of Congress should be restricted to the size and weight of the parcel-post package. Why not? If you send it to conference, you may kill the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. Sanders of New York, Mr. Kelly, and Mr. Mead.

Mr. LaGUARDIA. Mr. Speaker, I move that all bills passed to-day on the Consent Calendar be reconsidered and that motion lie on the table.

The SPEAKER. The Chair is informed by the Journal clerk that motions to reconsider have been made and have been laid on the table.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 5410. An act to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes; to the Committee on Public Lands.

S. 5782. An act to extend the times for commencing and completing the construction of a bridge across the Maumee River at or near its mouth, in Lucas County, Ohio; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 506. An act for the relief of Patrick P. Riley;

H. R. 16415. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1932, and for other purposes; and

H. R. 16738. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1932, and for other purposes.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 5458. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River where Louisiana Highway No. 7 meets Texas Highway No. 87.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 458. An act for the relief of Catherine Panturis;

H. R. 504. An act for the relief of James Earl Brigman;

H.R. 2694. An act for the relief of the widow of Robert Graham Moss;

H. R. 3187. An act for the relief of Agnes Loupinas;

H. R. 7272. An act to provide for the paving of the Government road across Fort Sill (Okla.) Military Reservation;

H. R. 9803. An act to amend the fourth proviso to section 24 of the immigration act of 1917, as amended;

H. R. 14246. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1932, and for other purposes;

H. R. 15256. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1932, and for other purposes;

H. R. 15593. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1932, and for other purposes; and

H.R. 16110. An act making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1932, and for other purposes.

ADJOTTRNMENT

And then, on motion of Mr. Th.son (at 5 o'clock and 40 minutes p. m.) the House, under its previous order, adjourned until Monday, February 23, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

862. Under clause 2 of Rule XXIV, a letter from the Secretary of Labor, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest was taken from the Speaker's table and referred to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14063. A bill to amend Act No. 4 of the Isthmian Canal Commission entitled "An act to prohibit gambling in the Canal Zone, Isthmus of Panama, and to provide for the punishment of violations thereof, and for other purposes," enacted August 22, 1904; without amendment (Rept. No. 2810). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14064. A bill to amend Act No. 3 of the Isthmian Canal Commission relating to the suppression of lotteries in the Canal Zone, enacted August 22, 1904; without amendment (Rept. No. 2811). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14065. A bill to amend an Executive order promulgated August 4, 1911, prohibiting promotion of fights between bulls, dogs, or cocks; without amendment (Rept. No. 2812). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14066. A bill to prevent, in the Canal Zone, fire-hunting at night and hunting by means of a spring or trap, and to repeal the Executive orders of September 8, 1909, and January 27, 1914; without amendment (Rept. No. 2813). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14067. A bill to regulate the carrying and keeping of arms in the Canal Zone; without amendment (Rept. No. 2814). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14068. A bill to repeal the Executive order of November 23, 1909, making the enticing of laborers from the Isthmian Canal Commission or the Panama Railroad a misdemeanor; without amendment (Rept. No. 2815). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14071. A bill to provide for the extradition of fugitives from the justice of the Republic of Panama who seek refuge in the Canal Zone; without amendment (Rept. No. 2816). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14072. A bill to provide for the protection of birds and their nests in the Canal Zone; without amendment (Rept. No. 2817). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14073. A bill to repeal an ordinance enacted by the Isthmian Canal Commission August 5, 1911, and approved by the Secretary of War August 22, 1911, establishing market regulations for the Canal Zone; without amendment (Rept. No. 2818). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14074. A bill to regulate radio equipment on ocean-going vessels using the ports of the Canal Zone; without amendment (Rept. No. 2819). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14075. A bill to provide for the inspection of vessels navigating Canal Zone waters; without amendment (Rept. No. 2820). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14076. A bill to authorize certain officials of the Canal Zone to administer oaths and to summon witnesses to testify in matters within the jurisdiction of such officials; without amendment (Rept. No. 2821). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14077. A bill to punish persons deported from the Canal Zone who return thereto; without amendment (Rept. No. 2822). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14078. A bill to regulate the operation of street-railway cars at crossings; with amendment (Rept. No. 2823). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14080. A bill to amend section 5 of the Panama Canal act; without amendment (Rept. No. 2824). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14083. A bill to provide for the establishment of a customs service in the Canal Zone, and other matters; without amendment (Rept. No. 2825). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14084. A bill in relation to the keeping and impounding of domestic animals in the Canal Zone; without amendment (Rept. No. 2826). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14086. A bill to provide for the transportation of liquors under seal through the Canal Zone; without amendment (Rept. No. 2827). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16555. A bill to amend the Penal Code of the Canal Zone; without amendment (Rept. No. 2828). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16556. A bill to amend an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916; with amendment (Rept. No. 2829). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14081. A bill to provide for the appointment of a public defender for the Canal Zone; without amendment (Rept. No. 2830). Referred to the Committee of the Whole House on the state of the Union.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 14082. A bill in relation to the Canal Zone postal service; without amendment (Rept. No. 2831). Referred to the Committee of the Whole House on the state of the Union.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15001. A bill to amend sections 7, 8, and 9 of the Panama Canal act, as amended; with amendment (Rept. No. 2832). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANKFORD of Virginia: Committee on Naval Affairs, H. R. 17135. A bill to amend section 24 of the act approved February 28, 1925, entitled "An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve," as amended by the act of March 2, 1929; without amendment (Rept. No. 2839). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. S. 5813. An act to provide for the consideration of wild-life conservation in connection with the construction of public works or improvement projects; without amendment (Rept. No. 2841). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. S. 2354. An act to amend the agricultural marketing act so as to include dip or crude gum; with amendment (Rept. No. 2842). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. H. R. 14046. A bill providing for a survey of the loss sustained by Florida farmers and fruit growers in the Mediterranean fruit-fly eradication campaign; with amendment (Rept. No. 2843). Referred to the Committee of the Whole House on the state of the Union.

Mr. COX: Committee on Flood Control. H. R. 15995. A bill to provide a preliminary examination of the Edisto River and its branches, South and North Edisto, S. C., with a view to the control of its floods; without amendment (Rept. No. 2844). Referred to the Committee of the Whole House on the state of the Union.

Mr. BECK: Committee on Interstate and Foreign Commerce. S. 5746. An act granting the consent of Congress to the county commissioners of Baltimore County, Md., to construct, maintain, and operate a free highway bridge across Deep Creek at or near Marlyn Avenue, Baltimore County, Md.; without amendment (Rept. No. 2845). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 17134. A bill authorizing the State of West Virginia by and through the State Bridge Commission of West Virginia, or the successors of said commission, to acquire, purchase, construct, improve, maintain, and operate bridges across the streams and rivers within said State and/or across boundary-line streams or rivers of said State; with amendment (Rept. No. 2846). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 16950. A bill granting the consent of Congress to the police jury of Richland Parish, La., or the State Highway Commission of Louisiana to construct, maintain, and operate a free highway bridge across Boeuf River at or near Buckner, Richland Parish, La.; without amendment (Rept. No. 2847). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 16970. A bill granting the consent of Congress to Missouri Valley Pipe Line Co., of Iowa, to construct, maintain, and operate a pipe-line bridge across the Missouri River; with amendment (Rept. No. 2848). Referred to the House Calendar.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 17053. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va.; with amendment (Rept. No. 2849). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 17070. A bill granting the consent of Congress to Missouri Valley Pipe Line Co., of Iowa, to construct, maintain, and operate a pipe-line bridge across the Missouri River; with amendment (Rept. No. 2850). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 17071. A bill authorizing the construction of a bridge across the Mahoning River near New Castle, Lawrence County, Pa.; with amendment (Rept. No. 2851). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 17073. A bill granting the consent of Congress to the county of Cook, State of Illinois, to construct, maintain, and operate a free highway bridge across the Little Calumet River on Cottage Grove Avenue near One hundred and fifty-eighth Street, in Cook County, State of Illinois; without amendment (Rept. No. 2852). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17136. A bill granting the consent of Congress to the State Highway Commission of Missouri to construct, maintain, and operate a highway bridge across the Missouri River at or near Weldon Springs, Mo.; with amendment (Rept. No. 2853). Referred to the House Calendar.

Mr. WOLVERTON of New Jersey: Committee on Interstate and Foreign Commerce. H. R. 17141. A bill authorizing the Delaware & New Jersey Bridge Corporation, a corporation of the State of Delaware, domiciled at Wilmington, Del., its successors and assigns, George A. Casey, of Wilmington, Del., Clifford R. Powell, of Mount Holly, N. J., their heirs, executors, administrators, or assigns, to construct, maintain, and operate a vehicular tunnel or tunnels under the Delaware River between New Castle County, Del., and Salem County, N. J.; with amendment (Rept. No. 2854). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17144. A bill to legalize a bridge across the Eleven Points River at or near Thomasville, Oregon County, Mo.; with amendment (Rept. No. 2855). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17145. A bill to legalize a bridge across the White River approximately 11 miles south of Reed Springs, Stone County, Mo.; with amendment (Rept. No. 2856). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17146. A bill to legalize a bridge across the James River at Galena, Stone County, Mo.; with amendment (Rept. No. 2857). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17147. A bill to legalize a bridge across the St. Francis River 4 miles west of Kennett, Mo., joining Dunklin County, Mo., and Clay County, Ark.; with amendment (Rept. No. 2858). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17148. A bill to legalize a bridge across the White River at Forsyth, Taney County, Mo.; with amendment (Rept. No. 2859). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17149. A bill granting the consent of Congress to the Missouri State Highway Commission to construct, maintain, and operate a highway bridge across the White River at Branson, Taney County, Mo.; without amendment (Rept. No. 2860). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17170. A bill to legalize a bridge across the St. Francis River, one-fourth mile south of Greenville, Wayne County, Mo.; with amendment (Rept. No. 2861). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 17198. A bill granting the consent of Congress to the State of North Dakota to construct, maintain, and operate a free highway bridge across the Missouri River at or near Elbowoods, N. Dak.; without amendment (Rept. No. 2862). Referred to the House Calendar.

Mr. GRAHAM: Committee on the Judiciary. H. R. 5568. A bill to establish uniform requirements affecting Government contracts, and for other purposes; with amendment (Rept. No. 2863). Referred to the Committee of the Whole House on the state of the Union.

Mr. DENISON: Committee on Interstate and Foreign REPORTS OF COMMITTEES ON PRIVATE BILLS AND ommerce. H. R. 17073. A bill granting the consent of

Under clause 2 of Rule XIII.

Mr. FITZGERALD: Committee on Claims. H. R. 8986. A bill for the relief of Frank Baglione; without amendment (Rept. No. 2833). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10747. A bill for the relief of Laura Goldwater; with amendment (Rept. No. 2834). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 10849. A bill for the relief of Charles W. Dworack; with amendment (Rept. No. 2835). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 13114. A bill for the relief of Col. Richard M. Cutts, United States Marine Corps; with amendment (Rept. No. 2836). Referred to the Committee of the Whole House.

Mr. HALE: Committee on Naval Affairs. H. R. 15894. A bill for the relief of certain United States naval officers; without amendment (Rept. No. 2838). Referred to the Committee of the Whole House.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 16031. A bill authorizing the Secretary of War, under the direction of the President, to order Joseph E. Myers, major, United States Army, retired, before a retiring board for a rehearing of his case and upon the findings of such board, either confirm his retirement under the provisions of section 24-b, act of Congress of June 4, 1920, or place him on the retired list as provided by section 1251, of the Revised Statutes, for disability incurred in line of duty; without amendment (Rept. No. 2840). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PARKER: A bill (H. R. 17226) further to regulate the acquisition of control of carriers by railroad; to the Committee on Interstate and Foreign Commerce.

By Mr. HARE: A bill (H. R. 17227) granting the consent of Congress to the Charleston & Western Carolina Railway Co. to construct, maintain, and operate a railroad bridge across the Savannah River at or near Augusta, Ga.; to the Committee on Interstate and Foreign Commerce.

By Mr. GLOVER: A bill (H. R. 17228) to authorize the Leo N. Levi Memorial Hospital Association to mortgage its property in Hot Springs National Park; to the Committee on the Public Lands.

By Mr. HAUGEN: Joint resolution (H. J. Res. 513) to amend section 6 of the migratory bird conservation act, approved February 18, 1929; to the Committee on Agriculture.

By Mr. CROSSER: Joint resolution (H. J. Res. 514) proposing to amend the Constitution of the United States to authorize the Congress to reduce the daily period of time for which contracts of employment may be lawfully made; to the Committee on the Judiciary.

By Mr. PARKER: Concurrent resolution (H. Con. Res. 49) to print 1,700 additional copies of House Report No. 2789, Regulation of Stock Ownership of Railroads; to the Committee on Printing.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of North Dakota, memorializing Congress to pass Senate bill 5109, known as the farmers' farm relief bill; to the Committee on Agriculture.

By Mr. HASTINGS: Memorial in the nature of house resolution, memorializing Congress of the United States for the return of that portion of the filing fee of homesteaders of land in the State of Oklahoma which was originally set aside in the Federal Treasury to be expended for reclamation purposes west of the ninety-ninth meridian; to the Committee on Irrigation and Reclamation.

By Mr. EVANS of Montana: Memorial in the nature of House Joint Resolution No. 2, Montana Legislature, petitioning Congress to pass, and the President to approve, at this session of Congress, House bill 14277, known as the Selvig bill, as amended, providing for a tax on the manufacture of flour in order to create a fund for the relief of the wheat growers; to the Committee on Ways and Means.

By Mr. LEAVITT: Memorial in the nature of House Joint Resolution No. 2, adopted by the Twenty-second Legislative Assembly of the State of Montana, urging passage of House bill 14277, by Mr. SELVIG, and for the relief of the wheat growers of the United States; to the Committee on Ways and Means.

By Mr. HALL of North Dakota: Memorial of the Legislative Assembly of the State of North Dakota, memorializing the Congress of the United States to refrain from enacting any laws imposing a tariff or embargo on petroleum products or the refined products thereof; to the Committee on Ways and Means.

Also, memorial of the Legislative Assembly of the State of North Dakota, urging an early enactment by the Congress of the United States of legislation providing for the immediate payment, upon application, of full face value of such adjusted-compensation certificates; to the Committee on Ways and Means.

By Mr. JOHNSON of Texas: Memorial of the Legislature of the State of Texas, urging relief of oil industry by limiting importation of crude oils into the United States; to the Committee on Ways and Means.

By Mr. SANDERS of Texas: Memorial of the Texas Legislature, memorializing Congress to secure relief for present conditions in the oil business by an adequate tariff on such imported commodities; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HICKEY: A bill (H. R. 17229) granting a pension to Emma Koller; to the Committee on Invalid Pensions.

By Mr. HOOPER: A bill (H. R. 17230) granting a pension to Cora M. Peters (with accompanying papers); to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 17231) granting a pension to Mattie Randolph; to the Committee on Invalid Pensions.

By Mrs. OWEN: A bill (H. R. 17232) granting a pension to Mary Kimmel; to the Committee on Invalid Pensions.

By Mr. PARKER: A bill (H. R. 17233) granting an increase of pension to Josephine W. McCullough; to the Committee on Invalid Pensions.

By Mr. RAMSEYER: A bill (H. R. 17234) granting an increase of pension to Jennie M. Pitman; to the Committee on Invalid Pensions.

By Mr. SHORT of Missouri: A bill (H. R. 17235) granting a pension to Martha Day; to the Committee on Invalid

By Mr. SHOTT of West Virginia: A bill (H. R. 17236) granting a pension to Lewis Plumley; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 17237) granting a pension to Charles E. Morris; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10064. By Mr. BRIGHAM: Petition adopted at a meeting of 800 New England dairy farmers in Springfield, Mass., February 19, 1931, favoring the passage of the Brigham-Townsend bill, H. R. 16836, regulating the sale and manufacture of oleomargarine; to the Committee on Agriculture.

10065. By Mr. BRUNNER: Resolution of the Alumnæ

against Senate bill 4582, tariff act of 1930, and Penal Code and birth control; to the Committee on the Judiciary.

10066. By Mr. CAMPBELL of Iowa: Petition of 18 citizens of Des Moines, Iowa, urging immediate action on Senate bill 3060, known as the Wagner bill; to the Committee on the Judiciary.

10067. Also, petition of 37 citizens of Sioux City, Iowa, urging the immediate cash payment at full face value of adjusted-compensation certificates; to the Committee on Ways and Means.

10068. By Mr. CANFIELD: Petition of Rev. F. H. Austerman and 50 other citizens of Evansville, Ind., urging the passage of the Sparks-Capper amendment; to the Committee on the Judiciary.

10069. By Mr. CANNON: Resolution of House of Representatives of Missouri, General Assembly, opposing tariff or embargo on oil importation; to the Committee on Ways and Means.

10070. By Mr. CHALMERS: Letter and resolution from Mr. Henry B. Herman, secretary the American Legion, Toledo, Ohio, calling the attention of the United States Veterans' Bureau to the need which exists and requesting said bureau to supply hospital facilities for the treatment of northwestern Ohio veterans by contract arrangements with a suitable hospital in said locality, providing accommodations for a minimum of 50 men; to the Committee on World War Veterans' Legislation.

10071. By Mr. CHRISTGAU: Petition adopted by the Witoka Creamery Association, protesting against the ruling of the Commissioner of Internal Revenue with respect to the use of palm oil in the manufacture of oleomargarine, and in support of the Brigham bill (H. R. 15934) providing for a tax of 10 cents per pound on all yellow-colored oleomargarine; to the Committee on Agriculture.

10072. By Mr. COCHRAN of Pennsylvania: Petition of Albert C. Snyder, and other citizens of Hadley, Pa., in support of the Sparks-Capper resolution, providing for an amendment to the United States Constitution excluding unnaturalized aliens from the count of the population of the Nation for apportionment of congressional districts among the States; to the Committee on the Judiciary.

10073. Also, petition of Guy Coulter and other residents of Hadley, Pa., and vicinity, in support of the Sparks-Capper resolution providing for an amendment to the United States Constitution excluding unnaturalized aliens from the count of the population of the Nation for apportionment of congressional districts among the States; to the Committee on the Judiciary.

10074. Also, petition of W. P. Gilger and other residents of Hadley, Pa., and vicinity, in support of the Sparks-Capper resolution providing for an amendment to the United States Constitution excluding unnaturalized aliens from the count of the population of the Nation for apportionment of congressional districts among the States; to the Committee on the Judiciary.

10075. By Mr. CONDON: Petition of Frank D. Roy and several other World War veterans of Rhode Island, urging passage of legislation looking toward the immediate cash payment of the adjusted-compensation certificates at their full face value; to the Committee on Ways and Means.

10076. By Mr. EVANS of California: Petition of Gid Shaw and approximately 37, favoring the cash payment of the adjusted-compensation certificates; to the Committee on Ways and Means.

10077. By Mr. FITZGERALD: Petition of Ohio Manufacturers' Association, by Charles B. King, president, Columbus, Ohio, opposing Government operation of Muscle Shoals; to the Committee on Military Affairs.

10078. Also, petition of Vivian D. Corbly, national adjutant, Disabled American Veterans, Cincinnati, Ohio, and Theodore Combs, Hamilton, Ohio, protesting against adoption of amendment to veterans' hospital bill reducing compensation 50 per cent of veterans hospitalized; to the Committee on World War Veterans' Legislation.

10079. Also, petition of 12,000 women of the American Auxiliary Catholic Summer School of America, protesting Legion Auxiliary of Ohio, urging passage of bill for appropriation for the entire Navy construction program as submitted by the Navy Department and in accordance with the London naval treaty; and also urging passage of World War bonus bill over President's veto; to the Committee on Naval Affairs

10080. By Mr. GARBER of Oklahoma: Petition of Hunter Woman's Christian Temperance Union, Hunter, Okla., urging the passage of House Joint Resolution No. 356; to the Committee on the Judiciary.

10081. Also, letter of Katherine Goebel, president, Perry Council of National Council of Catholic Women, Perry Okla., protesting against passage of Senate bill 4582; to the Committee on the Judiciary.

10082. Also, petition of Walter O. Bannon, Tulsa, Okla., indorsing Senate bill 5365; to the Committee on the Post Office and Post Roads.

10083. Also, petition of Ministerial Association, Phillips University, Enid, Okla., indorsing House bill 9986; to the Committee on Interstate and Foreign Commerce.

10084. By Mr. HARE: Petition of Mary E. Riley and others, protesting against passage of Senate bill 4582; to the Committee on the Judiciary.

10085. By Mr. HOPE: Petition of Mrs. C. H. Taylor and 26 others of Chase, Kans., urging the passage of House Joint Resolution No. 356; to the Committee on the Judiciary.

10086. Also, petition of Mr. E. A. Pearce and 108 others of the seventh district of Kansas, urging the passage of House Joint Resolution No. 356; to the Committee on the Judiciary.

10087. Also, petition of Mrs. L. A. McCaffree and 55 others of Nickerson, Kans., urging the passage of House Joint Resolution No. 356; to the Committee on the Judiciary.

10088. By Mr. JOHNSON of Texas: Petition of Gibb Gilchrist, State highway engineer, Austin, Tex., favoring Senate bill 5499; to the Committee on Roads.

10089. By Mr. KADING: Petition signed by residents of Fox Lake, Wis., urging the enactment of legislation providing for the elimination of unnaturalized aliens from the count in connection with apportionment of congressional districts; to the Committee on the Judiciary.

10090. By Mr. KELLY: Petition of citizens of Natrona, Pa., urging the passage of House bill 356, providing for an amendment to the United States Constitution excluding unnaturalized aliens from the count of the population of the Nation, for apportionment of congressional districts among the States; to the Committee on the Judiciary.

10091. By Mr. KINZER: Petition of citizens of Lancaster County, Pa., urging support of the Sparks-Capper amendment, alien representation bill; to the Committee on the Judiciary.

10092. By Mr. KVALE: Petition of the Olivia League of Women Voters, Olivia, Minn., submitted by Mrs. W. A. French, secretary, favoring enactment of Senate bill 255; to the Committee on Interstate and Foreign Commerce.

10093. Also, petition of the League of Women Voters, Olivia, Minn., submitted by Mrs. W. A. French, secretary, favoring enactment of House Joint Resolution No. 292; to the Committee on Election of President, Vice President and Representatives in Congress.

10094. By Mr. LINTHICUM: Petition of Baltimore Chapters of Daughters of the American Revolution and other organizations, urging favorable action on House bills 6810, 14688, and Senate bill 4750; to the Committee on Naval Affairs.

10095. Also, petition of Bertha and Jessie L. King, Mrs. Robert B. Jones, Dr. Samuel Kendig Wallace, urging favorable action on Sparks-Capper bill; to the Committee on the Judiciary.

10096. Also, petition of Ellicott Machine Corporation, Young Women's Christian Association, Elizabeth Gilman, Dr. Harry Friedenwald, Ammidon & Co., Municipal Commission on Employment Stabilization, and Baltimore Federation of Labor, all of Baltimore, urging passage of Wagner bill, S. 3060; to the Committee on the Judiciary.

10097. By Mr. McCLINTOCK of Ohio: Petition of C. F. Hartline and 24 citizens of Strasburg, Ohio, favoring passage of the Sparks-Capper alien representation amendment to

the Constitution of the United States; to the Committee on the Judiciary.

10098. By Mr. HENRY T. RAINEY: Petition of J. H. DeLong and 93 other apple growers of Calhoun County, Ill., favoring apples from certain provisions of the pure food and drug act; to the Committee on Agriculture.

10099. By Mr. RICH: Petition of citizens of Tioga County, Pa., favoring House Joint Resolution 356, known as the Sparks-Capper alien bill; to the Committee on the Judiciary.

10100. By Mr. ROBINSON: Petition of Angie Baines, president of the Woman's Christian Temperance Union, Rowan, Iowa, and 122 other citizens of Rowan, Iowa, urging the passage of the Sparks-Capper stop alien representation amendment in Congress; to the Committee on the Judiciary.

10101. By Mr. SHOTT of West Virginia: Petition of the directors of the Princeton Chamber of Commerce, Princeton, W. Va., opposing the consolidation program of the eastern railroads, in so far as the disposition of the Virginian Railroad is concerned, and urging that the Virginian be allocated to the New York Central system; to the Committee on Interstate and Foreign Commerce.

10102. By Mr. SELVIG: Petition of Women's Cooperative Alliance, Minneapolis, urging enactment of Senate bill 1812, authorizing collection of annual statistics; to the Committee on the Census.

10103. Also, petition of superintendent State Hospital, Fergus Falls, Minn., urging passage of Senate bill 1812, authorizing the collection of annual statistics; to the Committee on the Census.

10104. By Mr. SMITH of West Virginia: Resolution of the Charleston West Side Woman's Christian Temperance Union, by Mrs. W. W. Reif, president, of Charleston, W. Va., urging the passage of a law for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

10105. By Mr. PARKS: Petition of the Young Women's Christian Association, of Oshborne, Kans., at a monthly meeting, for the Federal supervision of motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10106. Also, petition of Woman's Christian Temperance Union, of Logan, Kans., favoring Federal supervision of the motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10107. Also, petition of Woman's Christian Temperance Union, of Phillipsburg, Kans., favoring Federal supervision of motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10108. By Mr. STRONG of Kansas: Petition of the Parent-Teachers' Association, of Tescott, Kans., favoring the enactment of the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

10109. By Mr. STRONG of Pennsylvania: Petition of citizens of Indiana County, Pa., favoring the amending of the Constitution of the United States to exclude unnaturalized aliens from the count of population for congressional apportionment; to the Committee on the Judiciary.

10110. By Mr. WOLFENDEN: Petition of George R. Crosgrove and others of Chester and Marcus Hook, Pa., favoring the passage of the proposed Sparks-Capper stop alien representation amendment (H. J. Res. 356); to the Committee on the Judiciary.

SENATE

Monday, February 23, 1931

(Legislative day of Tuesday, February 17, 1931)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names: